

SAVANNA COAL CO.

The bill (S. 8008) granting to Savanna Coal Co. right to acquire additional acreage to its existing coal lease in the Choctaw Nation, Pittsburg County, Okla., and for other purposes, was announced next in order.

Mr. KEAN. I desire to call the attention of the Senator from Texas [Mr. BAILEY] to the bill.

Mr. BAILEY. We passed the bill, in my opinion, at the last session, but I am advised by my constituents, who are interested in the matter, that there was a misdescription of the boundary. Until I can accurately inform myself about it, I will ask that the bill may go over.

The PRESIDING OFFICER. The bill will go over.

BILLS PASSED OVER.

The bill (S. 2191) to provide for the enlargement of the Federal building at Salina, Kans., was announced as next in order.

Mr. WARREN. Let the bill go to the calendar under Rule IX.

The PRESIDING OFFICER. It will go over under Rule IX.

The bill (S. 2430) for the relief of the heirs of John W. West, deceased, was announced as next in order.

Mr. GALLINGER. Let the bill go over.

The PRESIDING OFFICER. The bill will go over on objection.

The bill (H. R. 21481) to amend section 4916 of the Revised Statutes, relating to patents, was announced as next in order.

Mr. OVERMAN. Let the bill go over.

The PRESIDING OFFICER. It will go over on objection.

The bill (H. R. 22317) to authorize quo warranto proceedings in regard to offices in national banks was announced as next in order.

Mr. SHIVELY. Let the bill go over.

The PRESIDING OFFICER. On objection the bill goes over.

J. BLAIR SHOENFELT.

The bill (S. 635) for the relief of J. Blair Shoenfelt, former United States Indian agent, Union Agency, Okla., was considered as in Committee of the Whole.

The bill was reported from the Committee on Claims with amendment to strike out all after the enacting clause and insert:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to remit the claim of the United States against J. Blair Shoenfelt, late United States Indian agent, Union Agency, Okla., growing out of the embezzlement of moneys by Lyman K. Lane, formerly financial clerk and cashier at said agency, for which said Shoenfelt is accountable; and the Secretary of the Treasury is further authorized and directed to pay to J. Blair Shoenfelt the sum of \$3,578.63, being the amount he has paid to the United States on account of said defalcation, and to place to the credit of the proper Indian funds the sum of \$3,702.74, embezzled therefrom by said Lane; and there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$7,281.37 for the purpose of carrying this act into effect: *Provided, however,* That said settlement shall not be construed as a waiver of any claim the United States may have against said Lyman K. Lane as the result of said defalcation.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

Mr. GORE. I ask that the bill may go over, Mr. President.

The PRESIDING OFFICER. The bill will go over, at the request of the Senator from Oklahoma.

ROBERT S. GILL.

The bill (S. 5720) for the relief of the heirs of Robert S. Gill was considered as in Committee of the Whole.

The bill was reported from the Committee on Claims with an amendment, in line 7, before the word "dollars," to strike out "ten thousand" and insert "two thousand five hundred and twenty," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the heirs of Robert S. Gill, of Memphis, Tenn., out of any funds in the Treasury of the United States not otherwise appropriated, the sum of \$2,520, to compensate them for injuries received by Robert S. Gill while in the employ of the Government on the Panama Canal.

The amendment was agreed to.

Mr. SHIVELY. Let the report on the bill be read, Mr. President.

The PRESIDING OFFICER. At the request of the Senator from Indiana, the report will be read.

The Secretary read the report submitted by Mr. CRAWFORD on June 14, 1910, as follows:

The Committee on Claims, to whom was referred the bill (S. 5720) for the relief of the heirs of Robert S. Gill, having considered the same,

report thereon, with a recommendation that it do pass, with the following amendment:

Strike out the words "ten thousand" where they occur in lines 6 and 7 of said bill and insert in lieu thereof the words "two thousand five hundred and twenty."

Robert S. Gill, an engineer of the Illinois Central Railway Co., residing at Memphis, Tenn., was employed as an engineer on the canal at the Isthmus of Panama on April 17, 1907. He sailed for the Isthmus on April 27, 1907. He was recommended as a faithful and competent engineer by the general superintendent of the Illinois Central Railway Co. His salary, when he began his service on the Isthmus, was \$180 per month, which was afterwards increased to \$210 per month.

On September 30, 1907, at the Gatun spillway, Gill was engaged in the performance of his duty handling the engine of a train which a steam shovel was loading with dirt. The train was standing at a 3 per cent grade and slid a little on the track. The shovel crew miscalculated the distance of the car next to the engine, and the dipper of the steam shovel struck the corner of the cab of Gill's engine, causing him to be struck on the left side of the head by a piece of wood broken from the cab. The report shows that Gill was not negligent. As the result of the injury he lost the sight of his left eye. He was continued in the service at his regular salary, and, notwithstanding the loss of sight in his left eye, continued to perform his duty as an engineer until February 16, 1909, when he received notice from the superintendent of transportation as follows:

"Referring to our conversation in my office a few days ago regarding the loss of one of your eyes while in the service of the Atlantic division, I am sorry to inform you that it will be necessary for me to use you entirely on inside service, as the Panama Railroad will not permit your handling an engine on the main line. You understand, of course, this makes it necessary to reduce your salary to that of an unqualified engineer."

"Yours, truly,

A. SESSIONS,
"Superintendent Transportation."

On June 16, 1909, Gill, who appears to have become discouraged by the reduction in his salary and the placing him in the class of unqualified engineers, quit the service on leave of absence. It is claimed by his wife that his doctor had told him that his other eye had also become affected and that he would eventually lose his sight entirely, and he was coming back to the United States for treatment. He came to Cleveland, Ohio, where he fixed up a claim for accident insurance with his fraternal order, and he then committed suicide at the boarding house in Cleveland where he was stopping, July 12, 1909. He left a wife and four daughters aged from 15 to 26 years, the youngest depending upon her mother for support.

His widow, Alice E. Gill, has been appointed administratrix of his estate. He had been a locomotive engineer for over 20 years, and appears to have borne an excellent reputation. His wife thinks that because he was threatened with total blindness he became so despondent as to become temporarily deranged.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. KEAN. I move that the Senate adjourn.

The motion was agreed to, and (at 1 o'clock and 28 minutes p. m.) the Senate adjourned until Monday, December 12, 1910, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, December 8, 1910.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Almighty God, our heavenly Father, we bless Thee for the sacred custom which prevails in both branches of the National Congress in seeking through prayer Thy guidance before entering upon the legislative duties of the day as an inspiration to faithful service and clean living, since righteousness exalteth a nation, while sin is a reproach to any people. And now, O Father, be very near to sustain and comfort the Member of this House who has been suddenly stricken by the loss of his companion. May he find solace in the blessed promise of the immortality of the soul through Him who is the resurrection and the life. Amen.

The Journal of the proceedings of yesterday was read and approved.

RESIGNATION FROM COMMITTEE.

The Speaker laid before the House the following communication:

WASHINGTON, D. C., December 8, 1910.

HON. JOSEPH G. CANNON,

Speaker of the House of Representatives.

MY DEAR SIR: I hereby respectfully tender my resignation as a member of the Committee on Private Land Claims, to take effect immediately.

Yours, very truly,

W. R. SMITH.

The SPEAKER. If there be no objection, Representative SMITH will be excused from further service on that committee. There was no objection.

The SPEAKER. The Chair will appoint Representative LIVELY as a member of the Committee on Private Land Claims.

EMPLOYERS' LIABILITY COMMISSION.

The SPEAKER laid before the House the following communication, which was read:

DETROIT, MICH., November 22, 1910.

HON. JOSEPH G. CANNON,
Speaker of the House, Washington, D. C.

DEAR SIR: Having been defeated in my campaign for Congress, I have the honor to resign from my membership on the Employers' Liability Commission, to which I was appointed during the last session. I request that my resignation be accepted at once, and suggest that some Member be named in my place who will be a Member of the Sixty-second Congress and in a position to advocate whatever measure the commission may submit.

Very respectfully,

EDWIN DENBY, M. C.

The SPEAKER. Without objection, the resignation will be accepted, and the Chair appoints Representative Moon of Pennsylvania to fill the vacancy thus created.

WITHDRAWAL OF PAPERS.

Mr. HAMLIN, by unanimous consent, was given permission to withdraw from the files papers relating to H. R. 14236, introduced December 10, 1909, no adverse report having been made thereon.

INDIAN APPROPRIATION BILL.

Mr. BURKE of South Dakota. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 28406, the Indian appropriation bill, and pending that motion I ask unanimous consent that all general debate be limited to 20 minutes.

The SPEAKER. The gentleman from South Dakota moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the Indian appropriation bill, and pending that motion asks unanimous consent that all general debate may be closed in 20 minutes. Is there objection?

There was no objection.

The motion of Mr. BURKE of South Dakota was then agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. McCALL in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the consideration of the Indian appropriation bill, and the Clerk will read.

Mr. BURKE of South Dakota. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BURKE of South Dakota. Mr. Chairman, the bill before the House, the Indian appropriation bill, carries appropriations amounting to \$8,160,985. The formal departmental estimates for the purposes for which appropriations are provided in the bill amounted to \$8,146,260. The appropriations for the current fiscal year for the same purpose amounted to \$8,837,380. The appropriations carried in the present bill—\$8,160,985—exceed the formal estimates by \$14,725.

The total appropriations from public funds for Indian affairs for the fiscal year 1911 amounted to \$9,012,648; therefore the appropriations contemplated for Indian affairs in the bill presented are \$851,663 less than for the fiscal year 1911.

The larger items in the bill are as follows:

Survey and allotment work (reimbursable in part).....	\$215,000
Irrigation systems on Indian reservations and allotments....	300,000
Irrigation projects (reimbursable).....	625,000
Suppression of liquor traffic among Indians (\$70,000), and for pay of Indian police (\$200,000).....	270,000
Relief of distress among Indians and for prevention and treatment of disease.....	60,000
Support and civilization, including purchase of goods and supplies.....	935,500
Educational purposes (approximate).....	3,900,000
To provide for treaty stipulations other than educational....	996,560

I will say, Mr. Chairman, that last year the committee, in preparing the Indian appropriation bill, examined very carefully each estimate, had exhaustive hearings, and reduced the appropriations to the minimum, and in reporting the bill we did so with the appropriations cut as low as we thought it was possible then to cut them without serious injury to the service. Because of the fact that we went into the bill so thoroughly a year ago and made so many reductions, we have found that this year it is impossible to reduce the appropriations to any greater extent than those carried in this bill below what they were in the bill for the current year, 1911. I would say that in the Indian appropriation act for the current year there were several provisions of legislation requiring departmental reports showing a cost account of expenditures under some of the appropriations, the irrigation appropriation being among them,

also showing a detailed report of how moneys are expended for educational purposes, and also a report from the Secretary of the Treasury showing what funds that have been appropriated heretofore are made reimbursable, to what extent actual reimbursement has been made and stating where reimbursements have not been made, and if there were funds in the Treasury to which these appropriations might be charged that that be done. All of these reports will furnish very valuable information. I may say that all of the reports called for from the Interior Department have been furnished and gone to the printer to be printed as documents. We have diligently endeavored to obtain these documents in order that we might have them here at this time, but owing to the large amount of copy that has gone to the Printing Office in the last three or four days we have been unable to get any of these documents, and consequently we are not in a position to give the House the information that we would have been able to do if we had these reports.

The report from the Secretary of the Treasury in relation to reimbursable appropriations has not been received, and the only reason why it has not been received, so far as the committee knows, is the information received in response to a telephone call, wherein the Treasury Department stated that they had been unable to furnish the report because they had been too busy. The law was passed April 4, 1910, and we have now requested the Treasury Department to submit this report forthwith. We are not, however, in possession of it, and consequently we are not able to give the House the information that that report will disclose, and the information that the bill contemplated we would have when the bill came up in this session of Congress.

I may say further that it is not so important that we have some of these reports now as it will be in the next session of Congress, because there are only a few months of this fiscal year that have expired, and until the full fiscal year has run, and we know just how these moneys have been expended that is provided for in the appropriation for the current year, we will not be able to give as much information upon the subject as we can in another Congress. I make this statement because I know that the House expected that when the Committee on Indian Affairs came into the House in this session of Congress with the Indian appropriation bill it would be able to give the House the information that these reports call for.

I think it will be observed that the principal and largest appropriation in this bill is for education. As stated on the floor of the House in the last session of Congress, in the matter of education the committee has been very liberal.

We have not cut the estimates for this purpose this year to any considerable extent. In fact, I think we have increased them; and if the appropriations carried by the bill exceed the estimates, it is entirely because of increases for educational purposes.

Mr. Chairman, as consideration of the bill proceeds, these different items will undoubtedly be discussed, and I reserve the discussions of the different provisions of the bill until we get under the five-minute rule.

Mr. TAWNEY. Mr. Chairman, will the gentleman yield?

Mr. BURKE of South Dakota. Certainly.

Mr. TAWNEY. Did I understand the gentleman to say that the aggregate appropriation carried by the bill is greater than the estimates?

Mr. BURKE of South Dakota. By \$14,000.

Mr. TAWNEY. Was that increase made on the motion of the committee alone, or on the recommendation of the department?

Mr. BURKE of South Dakota. Both.

Mr. TAWNEY. I simply wanted to find out whether, after submitting the estimates, the department concluded they needed more, and then came to the committee without submitting a formal estimate for the excess.

Mr. BURKE of South Dakota. The increases asked for by the department were not very great. There was one, I think, of something like \$15,000 or \$20,000, and I stated to the commissioner that we would like to have a request for it so that it would amount to an estimate.

Mr. TAWNEY. If it does not come in the form of an estimate from the Treasury Department to the Speaker, of course it is never then included in the official estimate, and if there is any considerable difference of that kind it makes the appropriations at the end of the session much larger than the estimates and larger than the difference would be.

Mr. BURKE of South Dakota. It is not of such an amount that it is important.

Mr. MANN. Will the gentleman yield for a question?

Mr. BURKE of South Dakota. Certainly.

Mr. MANN. The gentleman says that the amount of increase is not important. That may be as to the appropriation, but it is of importance for us to know whether a department of the Government sends in estimates which are trimmed down so as to conform with the requirements of the existing law, and then immediately after having sent in such estimates proceeds to ask a committee of Congress and Congress to appropriate more money than they have estimated for, which increases have not passed through the hands of the Chief Executive.

Mr. BURKE of South Dakota. I will say, Mr. Chairman, my recollection is that there is only one item where there was a suggestion from the commissioner where there is an increase, and I do not just at this moment recall that item. I think I will recall it when we reach it in the bill.

Mr. MANN. Will the gentleman say as to these irrigation projects whether there is any question about the existing irrigation projects? The gentleman will remember in regard to irrigation projects under the Reclamation Service Congress determined to have them examined by a commission of Army engineers. Of course that does not apply to these irrigation projects, but is there any doubt about these existing irrigation projects?

Mr. BURKE of South Dakota. I think there is no doubt as to their existence, Mr. Chairman, but I will say to the gentleman from Illinois that last year there was a proposition to appropriate for an irrigation plant in Montana upon which there had been little money expended. It was authorized, but the committee declined to make any appropriation for it, because there was no estimate on which we could form any intelligent opinion as to how much it was going to cost. We also put a provision in the bill last year prohibiting the commencement of any new irrigation project costing more than \$35,000 until they had been estimated for and authorized by Congress. We have, therefore, only made appropriations for such irrigation projects as seemed to us to be practical and feasible, and I may say that in one of these irrigation projects where the estimated cost last year was some \$700,000, this year they have estimated the cost to be somewhere near a million or a million and a half dollars, and upon inquiry it appears that it was expected to extend the project beyond the certain unit that was to cost \$700,000, so the committee limited the appropriation in this bill to the unit that had been estimated to cost \$700,000, so as not to make it possible to use any money in the enlargement of the plant.

Mr. MANN. Does the gentleman recall how many new irrigation projects are contemplated by this bill?

Mr. BURKE of South Dakota. My recollection is there is nothing in the bill for irrigation that is entirely new. There may be some small projects that do not come within the prohibition cost of \$35,000 that the department may contemplate. I will now call for the reading of the bill.

The CHAIRMAN. If there is no further general debate, the Clerk will read.

The Clerk read as follows:

SECTION 1. For the survey, resurvey, and classification of lands to be allotted in severalty under the provisions of the act of February 8, 1887, entitled "An act to provide for the allotment of lands in severalty to Indians," and under any other act or acts providing for the survey and allotment of lands in severalty to Indians, including the necessary clerical work incident thereto and to the issuance of all patents in the field and in the Office of Indian Affairs, and to the delivery of trust patents for allotments under said act or any such act or acts; and for the survey and subdivision of Indian reservations and lands to be allotted to Indians under authority of law, \$215,000, to be repaid proportionately out of any Indian moneys held in trust or otherwise by the United States and available by law for such reimbursable purpose and to remain available until expended.

Mr. MANN. Mr. Chairman, I move to strike out the last word for the purpose of calling the attention of the gentleman to the fact that on line 10 he inserts in the bill "section 1." That is not the beginning of section 1. It is not customary to put that in at that point; if it went in it would go in preceding the enacting clause.

Mr. BURKE of South Dakota. I will say, Mr. Chairman, that follows the language of last year and it survived the suggestion of the gentleman from Illinois then, but perhaps it is not correct.

Mr. MANN. Clearly that does not belong in the bill at that point, whether it survived last year or not.

Mr. BURKE of South Dakota. I appreciated what the gentleman from Illinois said last year and I also appreciated that he would like the bill of one year not to differ from the form of the year before and I was afraid if I made a change I might invite his criticism.

Mr. MANN. I beg the gentleman's pardon. I did not express an opinion about that, but I called the attention of the

gentleman to the fact he had evidently overlooked—the fact that the law provided that the appropriation of one year should follow the form of the preceding year.

Mr. BURKE of South Dakota. We are trying to comply with the law this year.

Mr. MANN. I am not criticizing the gentleman for having introduced the bill in that form, but does he not think it wise to strike out the words "section 1," inasmuch as they do not belong there?

Mr. BURKE of South Dakota. I think not. I do not think it is important.

Mr. MANN. It may not be important, but section 1 does not belong in the middle of a section.

Mr. BURKE of South Dakota. I will say to the gentleman that dividing this bill into sections we find extremely convenient.

Mr. MANN. Nobody is objecting to that now. That follows the form. The words "section 1" never should appear in the bill. Section 1 of a bill commences with the enacting clause.

Mr. BURKE of South Dakota. Does the gentleman think it ought to be eliminated entirely?

Mr. MANN. Entirely.

Mr. BURKE of South Dakota. Then, let section 2—

Mr. MANN. Section 2 where section 2 belongs.

Mr. BURKE of South Dakota. Mr. Chairman, I move to strike out the words "section 1," in line 10, page 1.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Line 10, page 1, strike out the words "section 1."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. TAWNEY. Mr. Chairman, before going to the next paragraph I would like to ask the gentleman from South Dakota why it is necessary to provide here that this appropriation carrying out the first paragraph should remain available until expended, making it a permanent appropriation.

Mr. BURKE of South Dakota. We discussed that very fully last year, and there was no objection to it after it was explained. The work of allotment, of course, must continue until it is completed. Much of the work is done by per diem employment. Some of it is by Indian service. In some parts of the country, for climatic reasons, it is impossible to work the full year, and it is found that the money can be expended very much more economically and with better results than to limit the appropriation each year to the fiscal year. For instance, the appropriation might be exhausted in the latter part of May or the 1st of June, and work would have to suspend until the appropriation for the next fiscal year was available, on July 1.

Mr. TAWNEY. Is it not possible for them to estimate with a great degree of accuracy the amount needed for the fiscal year in this instance as in other instances?

Mr. BURKE of South Dakota. It might be; yes. That possibly is true.

Mr. TAWNEY. It might therefore be convenient to have all the appropriations made in that way so far as the department is concerned.

Mr. MANN. Is it not a fact that all appropriations for construction of public works remain available until expended?

Mr. BURKE of South Dakota. I think they do remain available for river and harbor improvements, public buildings, and some other purposes. It will not cost any more money, and this work of allotment must be done, and the sooner it is done the better. It can be done, of course, with a saving of expense.

The Clerk read as follows:

For the construction, repair, and maintenance of ditches, reservoirs, and dams, purchase and use of irrigation tools and appliances, water rights, lands necessary for canals, pipe lines and reservoirs for Indian reservations and allotments, and for drainage and protection of irrigable lands from damage by floods, \$289,300, to remain available until expended: *Provided*, That no part of this appropriation shall be expended on any irrigation system or reclamation project for which specific appropriation is made in this act or for which public funds are or may be available under any other act of Congress: *Provided further*, That nothing herein contained shall be construed to prohibit reasonable expenditures from this appropriation for preliminary surveys and investigations to determine the feasibility and estimated cost of new projects, or to prevent the Bureau of Indian Affairs from having the benefit of consultation with engineers in other branches of the public service or carrying out existing agreements with the Reclamation Service; for pay of one chief inspector of irrigation, who shall be a skilled irrigation engineer, \$4,000; one assistant inspector of irrigation, who shall be a skilled irrigation engineer, \$2,500; for traveling expenses of two inspectors of irrigation, at \$3 per diem when actually employed on duty in the field, exclusive of transportation and sleeping-car fare, in lieu of all other expenses authorized by law, and for incidental expenses of negotiation, inspection, and investigation, including telegraphing and expense of going to and from the seat of government and while remaining there under orders, \$4,200; in all, \$300,000: *Provided also*, That not to exceed seven superintendents of irrigation, who shall be skilled irrigation engineers, may be employed.

Mr. MADDEN. I notice in line 20, page 2, a blanket appropriation of \$289,000, and I would like to ask the gentleman in charge of the bill how they meet the amount covered in the proposed appropriation—whether they have an itemized schedule of the improvements to be made, for which this expenditure is intended, or whether they just made a guess.

Mr. BURKE of South Dakota. I would say to the gentleman that an estimate was submitted calling for something over \$300,000. We went over the estimate for the different items and made the appropriation \$289,000, instead of the amount that had been estimated for.

Mr. MADDEN. Does the schedule submitted by the Interior Department specify the amount to be expended on each of the improvements covered within the limits of this appropriation?

Mr. BURKE of South Dakota. I will state, Mr. Chairman, that the department submitted the appropriation in lump sum, and then estimated how it was to be expended, stating what amounts were to be appropriated for the different projects. The committee went over it, as I have stated, and cut it to the amount that is shown here. I have all the different items here, and can go over them if the gentleman would like to have me do so.

Mr. MADDEN. I think it might be well to put the information in such a form that it might be in possession of the Members of the House.

Mr. BURKE of South Dakota. The estimate was \$315,000. Fort Hall, Idaho, \$50,000; Fort Belknap, Mont., \$25,000; Pyramid Lake Reservation, Nev., \$50,000; Klamath Reservation, Oreg., \$50,000; Uinta Reservation, Utah, \$75,000; Yakima Reservation, Wash., \$15,000; Wind River Reservation, Wyo., \$50,000; the aggregate appropriation being \$315,000. I will say some of it is reimbursable.

Mr. MADDEN. Will the gentleman answer one more question? I notice the gentleman has reduced these appropriations from the estimate of \$315,000 to \$289,300. Will the gentleman tell how much has been reduced on the various items and how much the increases have been in the cases where they have been given over the recommendation of the department?

Mr. BURKE of South Dakota. A reduction from \$315,000 to \$289,000 is not a very great amount; and offhand I can not state just where we took it off, where we reduced one or two, and increased some of them, but only in cases where it was thought that with a little more money the project could be completed this year.

Mr. COOPER of Pennsylvania. I desire to ask the gentleman a question or two.

Mr. BURKE of South Dakota. I yield to the gentleman.

Mr. COOPER of Pennsylvania. For how many years has the Government been doing this irrigation work on Indian lands, and by what authority of law are these appropriations made?

Mr. BURKE of South Dakota. For many, many years, I will say to the gentleman. I will say to the gentleman that we have been at it long enough so that there has been appropriated \$1,640,409.10 in a period of 27 years.

Mr. COOPER of Pennsylvania. Is there any reason why this work should not be taken over by the Reclamation Service and carried on by that service?

Mr. BURKE of South Dakota. Some of the irrigation work is now being done in conjunction with the Reclamation Service. In fact, some work is done entirely under the Reclamation Bureau.

Mr. COOPER of Pennsylvania. Can you tell us whether or not the Indians cultivate these irrigated lands themselves, or are they leased to others by them?

Mr. BURKE of South Dakota. Irrigated lands belonging to Indians, as a rule, are cultivated by the Indians themselves. In some instances, I may say, these lands belong to women and minor children, and in such cases they are leased. But as a rule, I say, these irrigated lands are cultivated by the Indians themselves.

Mr. COOPER of Pennsylvania. Is there anything repaid the Government for the moneys expended on these lands?

Mr. BURKE of South Dakota. For some of it there is and for some of it there is not; and in some instances where the money is expended on projects provision is made so that the United States will be reimbursed from the sale of the lands, and in some others there is no reimbursement. It was hoped that we might have been able to furnish information as to exactly how much of the moneys that have been appropriated and expended have already been reimbursed.

Mr. COOPER of Pennsylvania. Is there any express statute authorizing this expenditure for irrigation work on Indian lands, or has it gone on as a system of appropriation?

Mr. BURKE of South Dakota. Oh, I think on a system of appropriation in connection with the work of solving the Indian question.

Mr. TOWNSEND. Will the gentleman yield to a question?

Mr. BURKE of South Dakota. Certainly.

Mr. TOWNSEND. Did the Committee on Indian Affairs have hearings on this bill?

Mr. BURKE of South Dakota. We had hearings. The Commissioner of Indian Affairs, in addition to the estimates, at the request of the committee, made a detailed statement of each item for which an estimate has been made. They have not been printed.

Mr. TOWNSEND. That is what I was going to ask. They have not been printed?

Mr. BURKE of South Dakota. No; they have not been printed.

Mr. TOWNSEND. Did I understand the chairman of the committee to state that in some instances, at least, the committee have not followed the recommendations or estimates of the department?

Mr. BURKE of South Dakota. Yes; that is true.

Mr. TOWNSEND. Is there any way whereby the Committee of the Whole may know where you have departed from those estimates or recommendations?

Mr. BURKE of South Dakota. I will say for the information of the gentleman that there are only a very few instances where that is the case. In this irrigation proposition my recollection, as I have stated, is that we increase the appropriation over what had been estimated, because that would complete the project and end it. In another instance we concluded not to do as much work as the Indian Office had suggested, and therefore we cut that appropriation.

Mr. TOWNSEND. As I understand, the chairman says he can not call attention to those particular cases?

Mr. BURKE of South Dakota. Why, I could if I had the time. You understand that the difference in amount between the appropriation and the estimate is less than \$25,000.

Mr. TOWNSEND. You have increased the estimate not over \$25,000?

Mr. BURKE of South Dakota. We decreased the estimate on the entire bill.

Mr. TOWNSEND. What is the total amount of the decrease below the estimate on the entire bill?

Mr. BURKE of South Dakota. About \$14,000.

The Clerk read as follows:

For the suppression of the traffic in intoxicating liquors among Indians, \$80,000.

Mr. BURKE of South Dakota. Mr. Chairman, I ask unanimous consent that the word "eighty" in that item, line 25, page 3, be changed to "seventy," for the reason that that is the amount carried in the bill as reported, and the word "eighty" is either a misprint or the result of a failure to correct the amount before the bill went to its final print. The committee fixed the amount at \$70,000. I wish first to have the amount correctly stated as the committee determined to report it; then if there are any amendments, gentlemen may offer them.

The CHAIRMAN. If there be no objection, that change will be made.

Mr. FITZGERALD. Mr. Chairman, what is the request?

Mr. MANN. To change the amount for the suppression of the traffic in intoxicating liquors among Indians from \$80,000 to \$70,000.

Mr. BUTLER. Because of a mistake in the print.

The CHAIRMAN. The Chair will say in reply to the inquiry of the gentleman from New York [Mr. FITZGERALD] that the request is to change the word "eighty," in line 25, page 3, to "seventy." Is there objection?

There was no objection.

Mr. MANN. Is this amount affected in any way by the decision recently reported in the papers as having been rendered by the courts in Oklahoma?

Mr. BURKE of South Dakota. I think not. I do not know what decision the gentleman refers to. The amount—\$70,000—is the same as that carried in the bill which we passed last year.

The Clerk read as follows:

To relieve distress among Indians and to provide for their care and for the prevention and treatment of tuberculosis, trachoma, smallpox, and other contagious and infectious diseases, including the purchase of vaccine and expense of vaccination, \$60,000.

Mr. MANN. Mr. Chairman, I would like to ask the chairman of the committee a question. I notice that this appropriation is one-third greater than it was last year. We had considerable controversy about it last year. What is the purpose of the department now?

Mr. BURKE of South Dakota. A very much larger sum of money could be well expended under this subject. The committee, as the gentleman states, held it down last year, and upon the representation of the increase in the spread of trachoma and the investigations that are being made as to tuberculosis, the committee felt that the bureau ought to have more money. I will state that since last year it is now represented by the department that trachoma exists in the White Earth Reservation, in Minnesota, and I believe it is stated that nearly all of the children in that school are affected. I am not positive as to the number of children, but there is evidence of the disease at White Earth.

Mr. MANN. It was the purpose of the department last year, under the appropriation they asked for, to build up quite a medical administrative force. How much of that has been carried into effect on the appropriation which was made?

Mr. BURKE of South Dakota. I do not think to any considerable extent. I will say to the gentleman from Illinois that Dr. Murphy, who has charge directly of this work, and an assistant by the name of Shoemaker, have expended altogether, for salary and expenses, \$7,725. The balance has been expended for medicine, instruments, nurses, and through the regular agency physician.

Mr. MANN. That is a very creditable showing. Is it intended to carry out the work in the same way, or to use the extra \$20,000 to build up a medical force?

Mr. BURKE of South Dakota. To use it in exactly the same way; and I think the gentleman understands that the attitude of Congress is not to create a health department in the Interior Department.

Mr. FITZGERALD. Mr. Chairman, I would like to make the inquiry of the gentleman from South Dakota whether it is proposed to make this a permanent feature of the administration of the Indian service.

Mr. BURKE of South Dakota. It seems to me that it is absolutely necessary to do so. There are 300,000 Indians in the United States, and it does seem as if an appropriation such as we provide here is a very small amount, considering the large number of Indians in the country.

Mr. FITZGERALD. My recollection is that the appropriation was originally an emergency appropriation to relieve distress among certain destitute Indians for whom no provision had been made. After a year or two the provision was enlarged by an appropriation to stamp out certain diseases. It has always been in the nature of an emergency appropriation. The change that has been made in the wording seems to indicate that the committee seems to believe that it is to be a permanent part of the administration.

Mr. BURKE of South Dakota. I think the gentleman will recall that the first appropriation was one made in an urgent deficiency bill of \$12,000. That was expended. Now, what was accomplished in expending that money demonstrated that it was advisable, at least for the present, to continue this expenditure, and it is apparent that there should be some fund available to relieve distress, so that if an emergency arises the bureau is in a position to meet it.

Mr. FITZGERALD. I am not so sure about that. Most of the Indians have funds and lands, and those that have not are provided for in the bill. The occasion is very rare when there is a condition that requires a general slush fund to help them. How much of the money last year was expended to relieve distress, and how much to prevent the spread of contagious diseases?

Mr. BURKE of South Dakota. Seven thousand and some odd dollars was expended for salaries and expenses of the superintendent and his assistants. That includes the salaries paid and expenses.

Mr. FITZGERALD. Seven thousand dollars for salaries out of an appropriation of \$40,000?

Mr. BURKE of South Dakota. Yes; that amount was paid for the administrative part of this work. The balance was expended for medicines, employment of nurses, and traveling expenses, and of such people as may have been employed.

Mr. FITZGERALD. How much was expended for food and necessities for the Indians that were destitute?

Mr. BURKE of South Dakota. Mr. Chairman, I would say to the gentleman that the information I have at hand is that practically all of it was expended in the suppression of contagious diseases and the treatment of them.

Mr. FITZGERALD. Is the proposed increase for the same purpose?

Mr. BURKE of South Dakota. Yes; largely.

Mr. STEPHENS of Texas. Then the gentleman will remember that trachoma was the main disease sought to be stamped out.

Mr. BURKE of South Dakota. Yes.

Mr. FITZGERALD. Oh, we never expected to have a decrease in these expenditures.

Mr. STEPHENS of Texas. The gentleman from New York [Mr. FITZGERALD] will remember that the reason given by the department for asking \$40,000 and getting that amount last year was because trachoma had been introduced into the United States among the Indians from Mexico, and it was spreading rapidly and had reached the northern part of the United States, and a great many Indian children have become affected. There was one school in Arizona in which not a single child was found but what had trachoma.

Mr. FITZGERALD. What is the situation to-day?

Mr. STEPHENS of Texas. I understand that the agency physicians, under the physicians in the employ of the department, and the department physicians are endeavoring to stamp it out.

Mr. FITZGERALD. But what progress has been made?

Mr. STEPHENS of Texas. They have made the report to the Indian Commissioner, and he has been before us and stated that what has been done has seemed to be justifiable and that the Indians are in much better condition than they were before.

Mr. FITZGERALD. That is what excites my suspicion as to the necessity for an increase in the appropriation.

Mr. STEPHENS of Texas. I will say to the gentleman that some medical officers, according to the statement before us, claim that trachoma can not be cured. It is something like other incurable diseases, but a great deal can be done to palliate the disease and to relieve the distress and to prevent its spreading. That is the main reason why this money is being expended in this way.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I am not opposed to the appropriation that is made, and yet we have in this bill appropriations of nearly \$4,000,000 for educational purposes among the Indians, and it would take more than \$4,000,000 to properly take care of their health. How far shall we go in providing for medical services for these Indians that have funds of their own? I do not know whether any of this money is used to give medical treatment to Indians who have funds of their own, but no part of it is reimbursable from those funds to the Government, if that be the case, and it is highly desirable that any policy that we shall follow in reference to the Indians shall be that of providing for them out of their own funds where they have plenty of money.

Mr. BURKE of South Dakota. I will say in answer to the gentleman's inquiry that the policy of the Committee on Indian Affairs has been to charge to the Indians all appropriations that can be charged where they have funds in the Treasury, where it can be done without violating any treaty obligations. For instance, for the support of the Sioux in South Dakota last year, the appropriation having been \$600,000 in the previous year, we reduced it to \$450,000, and appropriated \$150,000 for the support of the Cheyennes and the Standing Rocks because they had received funds from the sale of some lands, and the moneys could be so used in accordance with the treaty of 1889. Now, as to this matter of the treatment of disease, etc., among Indians, it certainly will not be claimed, and the committee does not wish to be understood as claiming, that \$40,000 carried by existing law for the current fiscal year is all of the money that is going to be expended in taking care of and looking after the health of 300,000 people. It developed that trachoma broke out, and, as has already been stated, there was an emergency appropriation of \$12,000 made.

A school at Phoenix, Ariz., I think for the time being was turned into a sort of hospital, and Indian children that were found affected by trachoma were taken there for treatment. This appropriation has been used in the taking care of such things as that, and in the general supervision of the health of the Indians in the United States, so that the physicians at the different agency schools will have some one who is sufficiently skilled to direct them, especially in looking out for those contagious and infectious diseases.

Mr. MANN. I think no one would complain for a moment about that, or possibly and probably not about anything which has been done, and yet the appropriation is proposed to be increased now from \$40,000 to \$50,000. That is not on account of the increase in the number of cases of trachoma, and the appropriation goes much further than that. It may be desirable for the Government to cover all cases of contagious and infectious diseases among Indians. It may be the only way it can be done, can be taken care of; but the question arises all the time, whether this shall be done out of the funds of the General Government or in some way out of the funds of the Indians where they have plenty of funds.

Mr. BURKE of South Dakota. Well, I will say to the gentleman that in a matter of this kind it would almost be an im-

possibility to ascertain just exactly what particular portion of this appropriation should be charged to a particular tribe, even if it could be charged to them because of the fact they had money in the Treasury.

Mr. MANN. It would not be difficult at all to know what amount of money is expended for the benefit of a particular tribe.

Mr. BURKE of South Dakota. For this particular purpose it might be difficult to ascertain what amount, and the amount would be a bagatelle. Out of \$40,000 or more to some tribe of Indians it might be \$10 expended and in another case it might be \$300 or \$400.

Mr. MANN. The gentleman probably will remain in Congress for years, and I think he will find no year when the amount of this appropriation will not be asked to be increased.

Mr. BURKE of South Dakota. The gentleman's prediction is undoubtedly true.

Mr. MILLER of Minnesota. If the chairman of the committee will permit, I would like to state to the gentleman from Illinois the need of an appropriation of this kind has very materially increased recently. Not only trachoma broke out and prevailed, as indicated by the gentleman from Texas and the chairman of our committee, but tuberculosis has become a paramount disease among the Indians throughout the United States, and, as I recall it, the Commissioner of Indian Affairs particularly desired an increase of this appropriation in order that more relief might be extended to a large number of Indians in Nevada, who have no particular tribal government, but are scattered, and who are affected with this disease to an extent amounting approximately to 90 per cent.

Mr. MANN. Does the gentleman think that tuberculosis—

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MILLER of Minnesota. I ask that the time of the gentleman from Illinois be extended five minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. Does the gentleman think that tuberculosis is any worse among the Indians or any more serious because the person has Indian blood than if it was among people of white blood?

Mr. MILLER of Minnesota. Most assuredly that is true.

Mr. MANN. Why? It is just as serious for the individual who is an American citizen of white blood to have tuberculosis as if he was of Indian or new blood.

Mr. MILLER of Minnesota. Not at all. It is universally found that a disease of this character coming from the white to an inferior or a new people has a much more invidious effect than upon the whites.

Mr. MANN. The gentleman has been studying in reference to tuberculosis among the Indians. We have been studying in reference to tuberculosis among the whites, and it is a far more serious matter among the whites, and yet no one has yet proposed that the General Government undertake to prevent and cure tuberculosis among all the people of the United States.

Mr. MILLER of Minnesota. I beg to state to the gentleman from Illinois, if he will take the trouble to ascertain from the latest medical reports, he will find that the number affected among the Indians with tuberculosis is far greater than among the whites, and that the fatality is much greater among the Indians than among the whites.

Mr. MANN. The gentleman is mistaken.

Mr. MILLER of Minnesota. I am not mistaken.

Mr. MANN. The gentleman probably means proportionately, and is probably greater among some Indians. The gentleman said the number was greater. There are more white people having tuberculosis in the United States than there are Indians in the United States.

Mr. MILLER of Minnesota. Of course I meant the proportion.

Mr. MANN. And hence it is much more serious with the whites than the Indians. It is the number that counts.

Mr. MILLER of Minnesota. I would like to state to the gentleman also that I took a little trip and visited a band of about 600 Indians who have not hitherto been touched practically by white influence. I found those Indians affected with diseases of every kind and description. They were maimed, lame, afflicted with ulcers and sores and all kinds of diseases. They were absolutely helpless. They had no medical attention and could not get any. They had some funds in the hands of the United States, but they could not get hold of the funds to get a physician. I wired the Commissioner of Indian Affairs the situation, and immediately he sent a physician from the town of the gentleman from Illinois, Chicago, and I under-

stand from recent reports he has brought a great deal of relief to those afflicted people.

Mr. MANN. Now, I agree with the gentleman that we ought to do something about disease among the Indians. We ought to do something about disease among the whites so far as we have the power to do so. But the gentleman's statement raises the very question whether we should do this work out of the funds of the General Government or out of the funds of the Indians where they have plenty of funds.

Mr. MILLER of Minnesota. I agree with the gentleman from Illinois that where the Indians have funds those funds should be drawn upon for this purpose, but I do not for a moment think that any considerable part of this appropriation is used for the benefit of Indians who have large sums in the hands of the Government. It is largely used in behalf of school children and Indians scattered throughout the United States who have not medical attention.

Mr. TOWNSEND. Why can we not tell just how much is used?

Mr. MILLER of Minnesota. I think we could by getting a detailed report from the Commissioner of Indian Affairs, but we do not have that at this time.

The Clerk read as follows:

For support of Indian day and industrial schools, not otherwise provided for, and for other educational and industrial purposes in connection therewith, \$1,420,000.

Mr. CULLOP. Mr. Chairman, I desire to ask the gentleman in charge of this bill, who is to superintend the expenditure of this sum for day or industrial schools not otherwise provided for?

Mr. BURKE of South Dakota. The money is expended under the Bureau of Indian Affairs by the commissioner, who is under the supervision of the Secretary of the Interior, and the accounts are audited by an auditor of the Treasury Department.

Mr. CULLOP. Is he to expend this sum simply as he desires?

Mr. BURKE of South Dakota. The money is distributed under the direction and supervision of the commissioner to take care of nearly 10,000 Indian children who are educated from this fund.

Mr. CULLOP. Does the gentleman think it good policy to write appropriation bills without any limitation as to the character of the expenditures?

Mr. BURKE of South Dakota. I will say, Mr. Chairman, in response to that, that we are following the policy that has prevailed for years in making an appropriation for the support of schools among the Indians.

Mr. CULLOP. What are the purposes for which this fund is to be expended? They are not enumerated here, and that is why I ask.

Mr. BURKE of South Dakota. For teachers and employees; subsistence; heat, light, and power; clothing; dry goods; furniture; schoolroom supplies; live stock, such as may be used in connection with some of the schools; traveling expenses of superintendents and employees; telegraphing and telephoning; stationery; miscellaneous and incidental expenses throughout the United States where these schools are located.

Mr. CULLOP. Now, are not many of the items that are mentioned here provided for otherwise in this bill?

Mr. BURKE of South Dakota. They are not.

Mr. CULLOP. Where are these schools now for which you propose this expenditure to be made, and how many of them are there?

Mr. BURKE of South Dakota. I will state to the gentleman that there are 146 day schools. Those are schools located on reservations in different parts of the country. There are 45 of what are known as reservation schools. Those are boarding schools located upon Indian reservations, either at the agency or at some subagency on the reservation.

Mr. CULLOP. Those schools you mention are already provided for, are they not? Now, where are the schools that are not otherwise provided for, for which this expenditure is to be made?

Mr. BURKE of South Dakota. This appropriation is to take care of these schools I have just referred to. The other schools that you probably have in mind are known as nonreservation schools, and they are appropriated for separately. You will find them in the bill under the head of the State where the schools are located.

Mr. CULLOP. Should not the amount that is being expended by each be provided for in the bill, so that there shall be some limitation to this expenditure?

Mr. BURKE of South Dakota. It would be an absolute impossibility, I will say to the gentleman, to appropriate specific

ally the amount of money that is to be expended in maintaining these little day schools throughout the country—146 of them. It certainly would mean an increase in the appropriation.

Mr. CULLOP. Yes; but could you not provide for these for each purpose, the amount to be expended separately?

Mr. BURKE of South Dakota. I do not think it would be feasible.

Mr. CULLOP. I do.

Mr. GOULDEN. Will the gentleman permit a question right there? Is this an increase or decrease of the amount for this item?

Mr. BURKE of South Dakota. It is exactly the same as last year.

Mr. GOULDEN. No change?

Mr. BURKE of South Dakota. No change.

The Clerk read as follows:

For collection and transportation of pupils to and from Indian schools, and for the transportation of Indian pupils from any and all Indian schools and placing them, with the consent of their parents, under the care and control of white families qualified to give such pupils moral, industrial, and educational training, \$82,000: *Provided*, That not to exceed \$5,000 of this amount may be used in the transportation and placing of Indian pupils in positions where remunerative employment may be found for them in industrial pursuits. The provisions of this section shall also apply to native pupils brought from Alaska.

Mr. COX of Indiana. I move to strike out the last word. I want to ask the chairman of the committee, for the purpose of getting some information as to this proviso:

Provided, That not to exceed \$5,000 of this amount may be used in the transportation and placing of Indian pupils in positions where remunerative employment may be found for them in industrial pursuits.

That is substantially the language of the last appropriation in the Indian appropriation bill. I would like to ask the chairman of the committee how that has worked, whether successfully or otherwise?

Mr. BURKE of South Dakota. The commissioner informs us that it has worked very well indeed, and that they were expending the money strictly in accordance with the appropriation.

Mr. COX of Indiana. I believe the amount of the appropriation is the same in this bill as in the last bill.

Mr. BURKE of South Dakota. It is increased \$12,000, but by increasing it \$12,000 we decrease the appropriation for the transportation of pupils at the Haskell Institute and the Carlisle School \$20,000, believing that the appropriation for paying for transportation of pupils ought to be all included in one item. So we decrease the total \$20,000 and increase it \$12,000, so that there is a net saving of \$8,000.

Mr. COX of Indiana. How many pupils are there in private employment for the purpose of filling positions where remunerative employment may be found for them in industrial pursuits?

Mr. BURKE of South Dakota. I can not tell the gentleman.

Mr. COX of Indiana. Is there any record of it?

Mr. OLMSTED. I will ask the gentleman if that item is not the same as it was last year?

Mr. BURKE of South Dakota. It is the same as it was last year.

Mr. STEPHENS of Texas. I will say to the gentleman from Indiana that he can find a detailed statement of that in the office of the Secretary of the Interior, furnished by the educational department of the Commissioner of Indian Affairs.

Mr. COX of Indiana. Can the gentlemen inform the committee the approximate number?

Mr. STEPHENS of Texas. I will state to the gentleman that these schools mentioned are nonreservation schools. They usually close in June and begin again in September. The farmers in those communities desire to get help, and therefore go to the schools and tell the officers in charge what they want, and they furnish boys and girls that know something of dairying and other industries that they learn in the schools. The farmers hire them for those three months, and instead of sending the students back home, they put them among the white people, and they are paid for their services. It has proved to be beneficial to the Indians and beneficial to the community where they are located, and they make some little pin money for themselves.

Mr. COX of Indiana. I have no doubt it is of benefit to the Indians, but can the gentleman give the approximate number of children that were so employed last summer?

Mr. STEPHENS of Texas. I do not think that that has been furnished. I do not think there has been furnished any detail of that kind to the committee.

The Clerk read as follows:

All moneys appropriated herein for school purposes among Indians may be expended without restriction as to per capita expenditure for the annual support and education of any one pupil in any school.

Mr. MANN. Mr. Chairman, I reserve the point of order upon that paragraph.

Mr. BURKE of South Dakota. I will say, Mr. Chairman, that this paragraph was put in the last Indian appropriation bill for the purpose, as we thought, of giving better administration. The appropriations previous to last year were limited to \$167 per capita.

Owing to the increase in the cost of living, owing to the material differences in cost of maintaining a school in one part of the country as compared with another, it was found that in some instances it was not practicable to keep up the school and keep within the limit. In other cases the amount would have been less than \$167; and the committee was satisfied that it would be better to not put on the limitation that had been previously placed upon this appropriation. Seeing no reason to change from our position of last year, we have so reported the bill this year. I may say, further, that until the end of this fiscal year it will be impossible to state just how it works in practice.

Mr. MANN. Does the gentleman happen to have information as to what the cost per capita is in these schools—say the highest cost per capita?

Mr. BURKE of South Dakota. There are some schools where the total cost runs as high as \$240. The limit of \$167, the gentleman refers to, did not include the expense for the salary of the superintendent and some other expenses, so that when the limitation was \$167 the cost per capita was more when you figure up the entire expenses of the school.

Mr. MANN. Is there a law that fixes the cost per capita outside of previous annual appropriation bills?

Mr. BURKE of South Dakota. Yes.

Mr. MANN. I take it that there is nothing except a grammatical or rhetorical reason for changing the word "shall" to "may." It looks that way. It said last year:

Shall be expended without restriction.

And now it says:

May be expended without restriction.

As I understand it, it means the same thing.

Mr. BURKE of South Dakota. I do not think there is any difference.

Mr. MANN. I did not know whether there was any other reason. I withdraw the point of order.

Mr. FITZGERALD. I renew the point of order. My recollection differs from that of the gentleman. My recollection is that \$167 was much in excess of the per capita at which the schools could easily be maintained. I know that the average cost of maintaining pupils should not be more than \$125. Apparently now in some sections of the country schools which should be abandoned can not be maintained unless the restriction of \$167 per capita be removed.

Mr. BURKE of South Dakota. I think the gentleman is entirely mistaken about that.

Mr. FITZGERALD. That was the gentleman's statement. If the gentleman will point out which particular statement is inaccurate, I shall be glad to hear him; but I have just repeated his own statement that these schools could not be maintained unless that limitation was removed.

Mr. BURKE of South Dakota. No; I did not say that—

Mr. FITZGERALD. I beg the gentleman's pardon.

Mr. BURKE of South Dakota. I said if they kept within the limit, they could not be maintained up to the standard at which I think they ought to be maintained.

Mr. FITZGERALD. Perhaps a lot of unnecessary employees could be retained who ought not to be.

Mr. BURKE of South Dakota. We did not increase the appropriations one cent. We left the appropriations for these different schools just the same as they were before.

Mr. MANN. But the gentleman knows it will cost more this way than it will the other.

Mr. BURKE of South Dakota. It can not cost any more than we appropriate.

Mr. FITZGERALD. Yes; it can in this way. My recollection is that the maximum cost was about \$140 per capita a year. There were some extraordinary cases, because of very remarkable conditions, where the cost per capita would be greater. In any event, the limitation of \$167 per capita was fixed by law. Now, it seems that for some causes not disclosed it is costing more than \$167 per capita in some schools.

Mr. BURKE of South Dakota. I will say to the gentleman that I think he is laboring under a misapprehension when he states that the expenditures at the different Indian schools were limited to \$167 per capita, because such was not the case; and you will find that while that law was observed the expenditures did exceed \$167 by considerable; but only \$167 could be expended for certain purposes, as I recall.

Mr. FITZGERALD. For the maintenance and education of the pupils.

Mr. BURKE of South Dakota. And I will say that while this limitation was observed, the cost of maintaining many of these schools was \$200 or \$230 or \$240 per capita, as shown by the statistics as late as the 30th of June, 1910. As to how it is working now we are unable to state, because we have only run about five months in this fiscal year.

Mr. FITZGERALD. If it be true that the law has been violated, it is fortunate that there will be a change in the political complexion of the next House.

Mr. BURKE of South Dakota. I do not think the law has been violated.

Mr. FITZGERALD. It must have been. Either the law was violated or it has been observed; the gentleman does not state which.

Mr. BURKE of South Dakota. I think I can say to the gentleman from New York that in the next Congress, when we will be able to know how this has actually worked out—

Mr. FITZGERALD. Let me say to the gentleman from South Dakota that in the next Congress we will try and determine these things with his able advice, but without much co-operation on his part.

Mr. BURKE of South Dakota. I am very much obliged to the gentleman for his courteous admonition.

Mr. MANN. Let me suggest to the gentleman from New York that he will cooperate with the gentleman from South Dakota on the Indian bill next year if that bill gets through.

Mr. FITZGERALD. Of course, I could not expect to compete with the insuperable egotism of some gentlemen on that side of the House, but nevertheless we will attempt to perform the work which the country has put upon us; and while we shall gladly have the assistance of the gentlemen on that side of the House, we propose to do business ourselves.

Mr. BURKE of South Dakota. I want the gentleman from New York to understand that the gentleman from South Dakota has very much appreciated the valuable assistance rendered in the consideration of the Indian bill by the gentleman from New York; but if in the next Congress he can get along without suggestions from the gentleman from South Dakota, the gentleman from South Dakota will not impose those suggestions upon him.

Mr. FITZGERALD. Mr. Chairman, I do not want the gentleman from South Dakota to misunderstand the situation. My recollection is that the limitation on the amount to be expended for maintenance and education was \$167 per capita. Anyone familiar with what it should cost per capita to maintain such institutions knows that it was a very liberal limitation. In a few cases it may have reached over \$140. I know when contract schools were in existence pupils were contracted for at \$110 per capita per annum. Now the gentleman says it is necessary to remove the limitation of \$167. I think it would be better to close some of the schools and concentrate the pupils nearer the reservation.

Mr. BURKE of South Dakota. I will say that we have discontinued some of the schools.

Mr. FITZGERALD. For the present, Mr. Chairman, I shall insist on the point of order.

The CHAIRMAN. Will the gentleman from New York state what is his point of order?

Mr. FITZGERALD. That it changes existing law.

The CHAIRMAN. Will the gentleman from New York inform the Chair wherein it changes existing law?

Mr. BURKE of South Dakota. I think it changes existing law, and we do not care to discuss it.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

To conduct experiments on Indian school or agency farms designed to test the possibilities of soil and climate in the cultivation of trees, grains, vegetables, and fruits, for the purposes of preserving living and growing timber on Indian reservations and allotments, and to advise the Indians as to the proper care of forests: *Provided*, That this shall not, as to timber, apply to the Menominee Indian Reservation in Wisconsin or the Red Lake Indian Reservation in Minnesota; for the employment of suitable persons as matrons to teach Indian women housekeeping and other household duties, and for furnishing necessary equipments and renting quarters for them where necessary; for the employment of practical farmers and stockmen, in addition to the agency and school farmers now employed; and to superintend and direct farming and stock raising among Indians, \$400,000: *Provided further*, That not to exceed \$5,000 of the amount herein appropriated shall be used to conduct experiments on Indian school or agency farms to test the possibilities of soil and climate in the cultivation of trees, grains, vegetables, and fruits: *Provided also*, That the amounts paid to matrons, farmers, and stockmen herein provided for shall not be included within the limitation on salaries and compensation of employees contained in the act of June 7, 1897: *Provided still further*, That hereafter the Secretary of the Interior shall transmit to Congress annually on the first Monday in December a cost account for the preceding fiscal year relating to the use of appropriations made for the purposes herein provided for.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. GOULDEN. Mr. Chairman, I desire to ask for information from the chairman of the committee why the two tribes of Indians were excepted?

Mr. BURKE of South Dakota. I will say that last year when the bill passed the House it did not except the two tribes of Indians now excepted, but the change was made in the Senate. The chairman of the committee and one other member of the committee, one being from Minnesota and the other from Wisconsin, were not willing to consent that this should be applicable to reservations in their States. It was claimed that there were special provisions of law for reservations in those two States.

Mr. MANN. There is a special law as to the Menominee tribe; they have a sawmill there. Mr. Chairman, I notice the appropriation is practically increased by \$100,000 over that of last year, which is an increase of 25 per cent. The appropriation last year was \$350,000, \$50,000 to be expended in the last fiscal year and \$300,000 this fiscal year. What is the occasion for this increase?

Mr. BURKE of South Dakota. A large part of the increase is for clearing forests. There have been some very disastrous fires on some of the Indian reservations within the last year, and our information is that since the 1st of July there has been expended \$20,503.60 in fighting fire alone. In the general care of the forests they require a larger appropriation than they have had heretofore.

Mr. MANN. Can the gentleman inform the House whether this expenditure of money for forestry is in connection with the Forest Service, or is it intended to build up a separate forestry service?

Mr. BURKE of South Dakota. It is not a separate forestry service. In some instances they employ men who are strictly foresters, but in the work of the care of the forests in many reserves the work is done in cooperation with farmers and employees that do other work.

I want to say that all of this increase is not due entirely to forestry work, but some of it to an increase of appropriation for the employment of farmers. This, I may say, is a branch of Indian work that I think is doing as much, if not more, in making the Indians self-supporting than most any other part of the Indian service. I had occasion to visit the Indians in a portion of South Dakota in the fall, and I was indeed surprised at the progress that had been made there within two years in the number of Indians not only residing on the allotments, but farming just the same as other people farm, and to find that about 50 per cent of those Indians were actually engaged in farming, and that has been due largely to the policy of the Indian Department in encouraging them along that line. We think it is one of the branches of the work where we ought to be quite liberal in money appropriations.

Mr. MANN. I agree with the gentleman, and if that result can be accomplished with the expenditure of a little money it ought not to be criticized.

Mr. BURKE of South Dakota. I want to say that in the Indian reservations they include approximately 8,090,696 acres, containing 36,885,942,587 feet board measure of timber, valued at \$76,358,308.

Mr. MANN. Well, probably the best timber that is owned by the Indians, or among the best, is in the Menominee Reservation, where we now have a very expensive, and I hope a very efficient, sawmill force. Does the gentleman happen to be familiar with the work of that recently?

Mr. BURKE of South Dakota. I am not, I will say to the gentleman, and I regret that I am not. It was my intention, if I had not had other duties devolving upon me that took me in another direction, to visit the Menominee Reservation, in order that I might see at first hand the conditions there, and I expected to have done that this year.

Mr. MANN. Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For the purchase of goods and supplies for the Indian service, including inspection, pay of necessary employees, and all other expenses connected therewith, including advertising, telegraphing, telephoning, storage, and transportation of Indian goods and supplies, \$285,000.

Mr. HITCHCOCK. Mr. Chairman, I move to amend by striking out the word "storage" in line 12 and inserting the words "rent of warehouses."

The CHAIRMAN. The gentleman from Nebraska offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 6, line 12, strike out the word "storage" and insert in lieu thereof the words "rent of warehouses."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska.

Mr. HITCHCOCK. Mr. Chairman, in support of that amendment, I desire to say that it is made in conformity with existing law. The present law provides for the rental of warehouses at New York, San Francisco, Chicago, St. Louis, and Omaha, and the effort has been made on a number of occasions upon the floor of this House to do away with that law in this appropriation bill, by refusing to appropriate the money necessary to carry out the law. This fight was made upon the floor of this House one year ago, and by a very substantial vote this House went on record in declaring that the law should remain as it is now, and that purchases of Indian supplies when made should, as far as were appropriate, be stored in these warehouses at established and fixed points.

The warehouse plan is not only, therefore, existing law, but it has the sanction of this House by repeated votes, and I criticize the Indian appropriation committee for repeatedly bringing before this House in an appropriation bill an attempt to change this law simply by omitting an appropriation for those warehouses. I am not here to object to any reduction in an appropriation. I will vote for the reduction of any appropriation as far as the committee will make it, and I am not asking for an increase of one dollar in this appropriation as proposed by the committee. I do object, however, to the insertion of the word "storage" in place of the recognized words "rent of warehouses," because the word "storage" will contemplate that the department will be free to store the goods where it pleases and when it pleases and to any extent it pleases, whereas the law, as fixed, has established certain warehouses well known in the trade and to the merchants of the country, and that law I think should not be changed without a discussion of its merits, and should not be changed by a mere appropriation bill.

Mr. BURKE of South Dakota. Mr. Chairman, the gentleman from Nebraska [Mr. HITCHCOCK] is mistaken when he states that this is the same proposition that was before the House a year ago. When the bill was pending in the House a year ago and this provision was reached, an amendment was offered by the committee in the form of a limitation providing that no part of the money therein appropriated should be used for the rent of warehouses at New York, Chicago, St. Louis, Omaha, and San Francisco. That matter was discussed at some length, and my good friend from Nebraska was very diligent in endeavoring to prevent the adoption of that amendment. He was successful, but by no considerable majority such as he has suggested, but by a very close vote. Now, the law under which this appropriation is made reads as follows:

Warehouses for the receipt, storage, and shipment of goods for the Indian Service shall be maintained at New York, Chicago, Omaha, St. Louis, and San Francisco.

There is nothing in the appropriation as it appears in the bill that will prevent its use for the rent of warehouses for all of these several cities.

Mr. KAHN. Will the gentleman yield?

Mr. BURKE of South Dakota. Certainly.

Mr. KAHN. Is it not a fact that the commissioner has recommended the abolition of all of these warehouses in the various cities?

Mr. BURKE of South Dakota. I think he has suggested that some, at least, of these warehouses are unnecessary; that by maintaining them it increases by considerable the cost of this service; and that if this provision is adopted, it is quite likely that some of the warehouses that have heretofore been maintained will be discontinued; and I want to say that there is no business done at those warehouses, or at some of them, to justify continuing them; and I want to give the committee the figures on the business done at the several warehouses for the fiscal year ending June 30, 1910.

At New York the business amounted to \$303,264.49, at a cost of \$14,480.09. At Chicago the business amounted to \$394,252.41, at an expense of \$15,973.64. At Omaha the business done was \$63,577.03, at a cost of \$6,498.07. At St. Louis the business aggregated \$118,944.37, at a cost of \$7,739.61; and at San Francisco the business done amounted to \$170,663.70, at a cost of \$10,439.53.

Mr. DOUGLAS. Will the gentleman yield?

Mr. BURKE of South Dakota. Certainly.

Mr. DOUGLAS. What does the gentleman mean by the amount of business done, for instance, at St. Louis?

Mr. BURKE of South Dakota. The amount of goods which were purchased and delivered at the several warehouses—the value.

Mr. DOUGLAS. The total value?

Mr. BURKE of South Dakota. The total value of the goods that passed through these warehouses. Now, Mr. Chairman, it

has appeared and seemed to this committee that the expenses incurred by reason of maintaining all these warehouses can not be justified, and we have insisted on reducing the appropriation, and we have reduced it to \$285,000.

Mr. KAHN. Will the gentleman yield?

Mr. BURKE of South Dakota. I will.

Mr. KAHN. I understand that there is no desire to increase the amount of the item. It is that the language that has been offered by the gentleman from Nebraska [Mr. HITCHCOCK] be adopted in the bill.

Mr. BURKE of South Dakota. I will say to the gentleman that there is this difference in the language: Under the language in the bill the warehouses may be maintained at any one of those points. If it reads "rent of warehouses," the department necessarily feels that it is directed by Congress to maintain these warehouses. Now, then, if we reduce the appropriation they must get along in some way, and I presume they will cut off some of the unnecessary expenses, and I say that this provision is absolutely in the interest of economy and good administration.

Mr. HITCHCOCK. Will the gentleman permit a question? Mr. BURKE of South Dakota. Certainly.

Mr. HITCHCOCK. Will the gentleman state the amount of Indian supplies purchased by the Government for the Indians?

Mr. BURKE of South Dakota. Yes, sir; somewhere between three and four million dollars.

Mr. HITCHCOCK. So that these warehouses are merely used to store those that can not be immediately shipped?

Mr. BURKE of South Dakota. Not necessarily.

Mr. HITCHCOCK. The gentleman has given the amount—

Mr. BURKE of South Dakota. The total amount of merchandise that went to the several warehouses was \$1,047,002 out of a total purchase of somewhere in the neighborhood of \$4,000,000. Now the Reclamation Service, with all the money it is expending, does not maintain any warehouses in order to purchase its supplies and its machinery and its goods that are necessary in connection with that work.

Mr. FITZGERALD. Is not the class of goods sent to the warehouses largely of a character that the Reclamation Service never gets—for instance, clothing?

Mr. KAHN. And sugar.

Mr. FITZGERALD. And food supplies.

Mr. BURKE of South Dakota. Possibly that is true, but it is not material; on the other hand, some kinds of things used in the Reclamation Service are not used in the Indian service.

Mr. FITZGERALD. And delivered directly to the agents, as I understand.

Mr. MANN. Does the gentleman know how many warehouses the Isthmian Canal Commission maintains in the United States for purchases, which are a great deal more than the Indian Office purchases of the same character?

Mr. BURKE of South Dakota. I do not think they maintain any.

Mr. PARSONS. How much clothing does the Isthmian Canal Commission purchase?

Mr. BURKE of South Dakota. Probably little; but that is not material.

Mr. PARSONS. Do you know of any?

Mr. BURKE of South Dakota. No.

Mr. COX of Indiana. These items of expense of these varied warehouses which you have detailed are very interesting. Are those items made up by the necessity of keeping clerks on hand there?

Mr. BURKE of South Dakota. Employees mostly, and rent; light and heat are not very much.

Mr. COX of Indiana. What is the gentleman's judgment now as to whether or not if those warehouses be abandoned that expense will be saved?

Mr. BURKE of South Dakota. Considerable will be saved; and I will say, Mr. Chairman, there is another item of expense that it is impossible to estimate just what it is. For instance, an article is purchased and shipped to a warehouse, and then it is shipped from the warehouse to the place of consumption.

Now, if the contractor bids to make deliveries at the warehouse, he must necessarily add the cost of transportation to his bid, and therefore you are paying more for transportation to get it to the place of consumption, but just how much more it may be it is impossible to state. If we follow the bill, we could reduce it to the extent of \$30,000, as we have done, and we will get the same service that we are getting now.

Mr. COX of Indiana. The gentleman's idea is, then, that economy could be brought about in two ways, namely, by reducing the number of employees and by transportation?

Mr. BURKE of South Dakota. And rent.

Mr. PARSONS. May I ask the gentleman whether, as a matter of fact, under his scheme the charge for transportation would not be greater? As I understand the matter, it is this: You buy clothing and have it shipped to the warehouse, and the man who sells clothing to the department ships a great quantity of it there. Also quantities of other kinds of goods are shipped to the warehouse. A variety of things are to be sent to the same place for the Indians. The warehouse packs these different things together and sends them out in one shipment. If you have the warehouse, then what you require the man who sells the goods to the Indian Service to do is to send all of his goods in an innumerable number of small shipments?

Mr. BURKE of South Dakota. I want to say to the gentleman that I know of a concrete instance of where agricultural implements, namely, plows, mowers, reapers, and other machinery, have cost materially more on an Indian reservation, when purchased by the Government under contract, than I can go right into the local town and buy the same identical machinery for.

Mr. PARSONS. Has the gentleman any figures to show in total that that would be so?

Mr. BURKE of South Dakota. It would be almost impossible to figure it out. It seems to me it must be apparent that the statement I have made is true. For instance, a man furnishes a certain article from Pittsburg, Pa., to be delivered at the warehouse in New York. The Carlisle School needs something from that shipment, and it is shipped from New York back to Carlisle in Pennsylvania. Now, there must be something in the transportation that adds to the cost, it seems to me.

Mr. PARSONS. Even if you have a warehouse there is nothing that requires the Indian Service to have that article shipped from Pittsburg to New York, instead of direct to Carlisle. It could be sent there directly and should be sent there directly.

Mr. BURKE of South Dakota. I will say to the gentleman that under the provision as reported whichever will be the best from an economical standpoint will probably prevail, and if by maintaining one or two warehouses it will improve the service or be less expensive than to abandon them all, I presume they will continue them, and they can do so under this provision.

Mr. PARSONS. But, as the gentleman read the law, it seems to be doubtful whether under the provision you have in the bill they could pay for the rent of warehouses.

Mr. BURKE of South Dakota. I do not think there is any doubt about it, because the law does not say anything about rent, but does speak about storage.

Mr. PARSONS. It does speak about other things.

Mr. BURKE of South Dakota. Those are included. Everything is included in the language of the bill except the word "receipt," I think.

Mr. DOUGLAS. Will the gentleman read for the benefit of the committee the law under which those warehouses are maintained? It struck me from the first reading that it was impossible to do anything else.

Mr. BURKE of South Dakota. It reads:

Warehouses for the receipt, storage, and shipment of goods for the Indian service shall be maintained at New York, Chicago, Omaha, St. Louis, San Francisco.

Mr. DOUGLAS. Is that not a direct requirement that warehouses shall be maintained?

Mr. BURKE of South Dakota. Not necessarily. If Congress does not see fit to make an appropriation to make it possible to continue them, I presume in expending this appropriation, in view of the substantial reductions we have made, that they will have to cut off some of the expenses that have heretofore been incurred, and I think they could justify coming back to Congress and stating they did not maintain a warehouse at some particular point because they saved so much money by discontinuing it.

Mr. HINSHAW. Mr. Chairman, I understood the commissioner in his testimony before the committee to state that under this reduced appropriation and under the language in the bill they would maintain two or three Indian warehouses.

Mr. BURKE of South Dakota. He said they might do so.

Mr. HINSHAW. But they would discontinue probably one or two. I think it was suggested that the warehouse in New York was the one that was less useful, and I think he made some reflections on the warehouse at Omaha and at St. Louis.

Mr. PARSONS. I will call the attention of the gentleman to the fact that the warehouse in New York is, in percentage, the least expensive, and the statistics read by the chairman of the committee show that. We have no desire to have a warehouse in New York unless it is necessary for the good of the Indian Service. But New York is the clothing center of the country. With a warehouse there at the clothing center you can let a contract for the clothing, have it delivered at the

warehouse, inspected there after delivery, and send it back if it is not satisfactory. You get better clothing in that way than if you just have samples inspected, and get it cheaper.

Mr. HINSHAW. I think you will get better service for the Indians if these warehouses are closer to the point of ultimate distribution, so that Indians living in the vicinity of Omaha, St. Louis, and Chicago would receive more directly their supplies. New York is east of all the Indian country, so that there must be some difference on account of the cost of transportation.

Mr. PARSONS. New York is the clothing center of the country. It is presumable that the clothing will be bought in New York; bought in the center of its manufacture, where it can be best inspected.

Mr. HINSHAW. I suspect that the gentleman from Chicago would not admit that New York was the clothing center.

Mr. MANN. The people of New York do not know that there is any country west of the Alleghenies. New York is the center of the country east of the Alleghenies.

Mr. GOULDEN. Will the gentleman permit a question?

Mr. BURKE of South Dakota. Certainly.

Mr. GOULDEN. I understood the gentleman to say that it has been the custom to ship goods from Pittsburg to New York and then back to Carlisle school?

Mr. BURKE of South Dakota. Oh, no; I just cited that as a possible case.

Mr. GOULDEN. Not that it is the custom?

Mr. BURKE of South Dakota. I cited that as a possible case.

Mr. GOULDEN. Only a possible and not a probable case?

Mr. BURKE of South Dakota. It might be a probable case.

Mr. GOULDEN. It would hardly be possible to ship machinery from Pittsburg to New York, there store it, and ship it back to Carlisle.

Mr. BURKE of South Dakota. I will say that a contractor would make bids and the rule would require the goods to be delivered at some point, and it might be the warehouse at New York.

Mr. GOULDEN. I suppose you want to go to some western city instead of New York.

Mr. BURKE of South Dakota. If it were a question of New York or Chicago, if I were going to make the trip personally, I would probably go to Chicago.

Mr. GOULDEN. It seems to me that the case you have cited is not one that is tenable at all.

Mr. HAYES. Will the gentleman yield for a question?

Mr. BURKE of South Dakota. If I have the floor I will. I have occupied it for about 15 minutes now.

Mr. HAYES. I make the suggestion to the chairman, since it is conceded that the purpose of this provision is to change existing law, so that the commission may abandon some of these warehouses, does not he think, under the rules of the House, that the proper way for the committee to do it is to bring in a bill directly abandoning such of these warehouses as the commissioner or the committee think wise, instead of attempting to do it indirectly, as this bill does it.

Mr. BURKE of South Dakota. We are not violating any rule. I want to say to the gentleman—and I do this without any intention of being offensive at all—that it seems to me very remarkable that whenever this matter is up for discussion the opposition to the proposed change comes entirely from the cities where warehouses are maintained. Now, I do not think the gentleman from San Francisco can be very much concerned, as I am inclined to think that a warehouse will be continued in his city.

Mr. HAYES. I think the gentleman is correct.

Mr. BURKE of South Dakota. Certainly, if one is necessary to be maintained there.

Mr. HAYES. I think the gentleman is correct. But I will ask the gentleman if he does not think that the proper way to reach the matter is to bring in a proposition covering it, and not in an indirect manner leave it to the discretion of the commissioner?

Mr. BURKE of South Dakota. When the House thinks a position that has been created is not necessary, it is quite common to withhold the appropriation.

Mr. HAYES. But does the gentleman think that is the proper way to abolish a position?

Mr. BURKE of South Dakota. I am not abolishing one of the warehouses; I am following the law as the law reads. It does not say anything about rent of warehouse.

Mr. SAUNDERS. Mr. Chairman, this is a plain business proposition, and I am sure when the House is in possession of the facts in relation to it there will be no difficulty about its action. There are five of these warehouses maintained, not one of them established at a point where they ought to be established

with reference to rendering any service of value to the Indians. These warehouses are located in Chicago, New York, San Francisco, St. Louis, and Omaha. The great bulk of the business is done not through the warehouses but outside of the warehouses. It was claimed in the debate of last year in connection with this matter that the warehouse system served a useful function, was of great service to the Indians, and effected great economy in the disposition of public funds. If these claims are sustained, then all of the supplies for the Indians ought to pass through the warehouses.

Yet under the law as it is written there is not only no provision that this shall be done, but the law is so worded that it is easy for the Indian Department not to avail itself of the existing warehouses. The reason why the Indian Department has recommended the proposed legislation, and the reason why it recommended last year the abolition of all these warehouses, is because in the administrative operation of the statute it has found that the warehouses serve no useful purpose whatsoever. There has not been one argument submitted to-day which shows any advantage to the Indians in connection with the existence of these establishments. If it is claimed they compel local inspection, then what happens in the case of the bulk of the goods, the \$2,000,000 of purchases made outside of the warehouses? Approximately only \$1,000,000 of purchases pass through the warehouses. These are the only goods that get the benefit therefore of the inspection which the warehouse system is supposed to compel.

Mr. KAHN. The gentleman is evidently at variance with the chairman of the committee.

Mr. SAUNDERS. In what respect?

Mr. KAHN. The chairman of the committee says that the department proposes to maintain several of these warehouses. If they are of no use at all, why does the department want to maintain any of them?

Mr. SAUNDERS. They find so much difficulty in getting rid of them altogether that they propose now to approach the task by piecemeal. I will say to the gentleman that all the warehouses ought to go.

Mr. KAHN. Then why did the commissioner recommend that one should be maintained at Chicago?

Mr. SAUNDERS. I do not recollect that the commissioner has made that recommendation.

Mr. HITCHCOCK. The fact is that at the present time, when the bids are called for by the department, it often happens that samples of the goods are inspected at one or another of the warehouses, and then the goods themselves are shipped directly from the point of purchase to the point of consumption; but the warehouse is the headquarters, and the existence of a warehouse for the storage of those goods which can not be immediately shipped is an unquestionable advantage. It enables the Government to buy in large quantities, and to have a fixed place to ask for bids, and to give the two or three weeks' notice which the law now requires.

Mr. SAUNDERS. That is exactly what the Commissioner of Indian Affairs says it does not do. The Commissioner of Indian Affairs says that so far from this system being of service to the Indians in compelling competition, the warehouse system in its practical operation has shut off competition. So far from getting better prices for the Indians, it has secured worse prices for them. So far from working out what you claim it does work out, your statement of what it does do is in direct contravention of the experience of the department which is charged with the conduct and operation of this business. And if all you say is true with respect to that \$1,000,000 worth of purchases which passes through the warehouses then what takes place in the case of the \$2,000,000 or \$3,000,000 worth of purchases that are not made in connection with the warehouses?

Mr. PARSONS. Where does the commissioner say these things to which the gentleman refers?

Mr. SAUNDERS. I will read it to the gentleman.

Mr. PARSONS. I have not seen a copy of these reports this year, nor that of the Secretary of the Interior, and the hearings before the committee are not published, so we are kept in the dark about it.

Mr. SAUNDERS. Oh, no; you have had all this information before. I am just going to refresh your recollection about it.

The Indian supplies are purchased under a system which is not based on commercial methods, and as a result thereof there is a lack of competition.

Mr. FITZGERALD. What is the gentleman reading from?

Mr. SAUNDERS. I am reading from the letter of the Commissioner of Indian Affairs, printed in connection with the debate in the House of last year.

The business is not so enticing to manufacturers as commercial business, for reasons given below, and as a consequence goods are not being obtained at the best prices, and trade discount is an unknown factor.

And then he goes on to say that—

competition on the part of local dealers throughout the country, and inspection and purchase of goods at factories with prompt settlement therefor, will result in lower prices if the system which the commissioner recommends in this connection is adopted by this House.

Mr. PARSONS. What does he say there about inspection?

Mr. SAUNDERS. I have just read it. He says that inspection and purchases of goods at the factories, with prompt settlement therefor, will result in lower prices.

Mr. PARSONS. How much is inspection at the different factories going to cost?

Mr. SAUNDERS. I do not know, but the commissioner is thoroughly satisfied that it will result in a saving.

Mr. PARSONS. Under the scheme which you advocate every time a shipment is to be made there has to be an inspection. I ask you how much the inspection will cost.

Mr. SAUNDERS. Oh, no; that is of no consequence. I will say that the machinery under control of this department of the Government will enable the inspections to be made. They are all made by officials of the department. If you abolish the warehouses, they will still have to be made.

Mr. PARSONS. Will the gentleman name an official who is competent to inspect clothing?

Mr. MANN. They have a clothing inspector in that department.

Mr. PARSONS. No; they do not, for in New York the clothing is inspected by a large clothing dealer, who gives his services to the Government, and I do not know of a man in the service as competent as he is.

Mr. SAUNDERS. I deny the proposition that there is nobody in the service that is competent as a clothing inspector.

Mr. HITCHCOCK. Do I understand that the department has recommended this as a measure of economy?

Mr. SAUNDERS. I made that statement.

Mr. HITCHCOCK. Can the gentleman explain, then, why the department in its estimates to the committee asked for \$340,000 instead of \$315,000, which they had last year?

Mr. SAUNDERS. That is in connection with other matters included in the estimate.

Mr. HITCHCOCK. But they ask for \$340,000 for this item.

Mr. SAUNDERS. But \$340,000 is not asked for the warehouses. If we are going to get rid of the warehouses, perhaps we will not need so much as the estimate calls for.

Mr. HITCHCOCK. I understood the gentleman to say that the department had recommended getting rid of these warehouses on the ground of economy.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. BURKE of South Dakota. I ask unanimous consent that the gentleman's time be extended five minutes.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent that the time of the gentleman from Virginia be extended five minutes. Is there objection?

There was no objection.

Mr. BURKE of South Dakota. The gentleman from Nebraska is correct in saying that the estimate as submitted was for \$340,000. The commissioner went before the committee, and, being interrogated, discussed the different items for which this money was to be expended, and stated that they could get along with \$315,000. Then later, when the subject of warehouses was under discussion, we found we could still cut it \$30,000 more, so we reduced it to \$285,000, and the estimate was modified in that particular by the commissioner.

Mr. SAUNDERS. The gentleman from South Dakota has given the details which corroborate the statement I made in bulk, to the effect that the size of the estimate is not made necessary by or related to the discontinuance of the warehouses.

Mr. FITZGERALD. Does the Commissioner of Indian Affairs advocate an open market for the purchase, as against the purchase following bids for advertising? Is that the scheme?

Mr. SAUNDERS. The gentleman will understand that under the law as it exists every particle of goods may be purchased without any advertising at all.

Mr. FITZGERALD. No; I do not understand that. The Revised Statutes require purchases upon bids after advertising, unless there is a special provision applicable to this case.

Mr. SAUNDERS. I will say that the provision is:

No purchase of supplies for which appropriations are herein or hereinafter made for the Indian service exceeding in the aggregate \$500 in value at any one time shall be made without first giving at least three weeks' public notice by advertising, except in case of exigency.

You will observe that a purchase can be made for less than \$500, and that if a number of such purchases is made then the aggregate will include all the purchases necessary to be made.

Mr. PARSONS. But is not that illegal?
 Mr. MANN. That would clearly be illegal.
 Mr. FITZGERALD. Absolutely illegal here.
 Mr. SAUNDERS. It has been done, and it may be done.
 Mr. PARSONS. It is an evasion of the law.
 Mr. BURKE of South Dakota. Will the gentleman yield to let me make a correction of the statement that he has made?
 Mr. SAUNDERS. Yes.
 Mr. BURKE of South Dakota. The gentleman was reading the old law relating to the purchase of Indian supplies.
 Mr. SAUNDERS. Yes.
 Mr. BURKE of South Dakota. I will call his attention to the fact that the purchases are made under the general law, the law having been changed in the omnibus act which was passed and approved June 25, 1910.
 Mr. SAUNDERS. I have not that before me. What I was saying is true with respect to the statute I was reading. I was merely using it as an illustration. What I am saying is this: That the law in its imperative demands does not necessarily require an advertisement in respect to the purchases made by this department.
 Mr. FITZGERALD. Then, as I understand the gentleman, the commissioner either intended or admits a scheme of purchases without advertisement.
 Mr. SAUNDERS. Does the gentleman think there is anything in any statement that I have made from which he can draw that conclusion?
 Mr. FITZGERALD. I do.
 Mr. SAUNDERS. Then, I will correct it. I will go on to say, as I have said before, that the commissioner contemplates a scheme of purchases for the best interests of the Indians. Under this scheme there will be advertisements for bids just as there are advertisements at present.
 Mr. FITZGERALD. The scheme suggested by the gentleman has been held illegal in every municipality and State in the country.
 Mr. SAUNDERS. What scheme is the gentleman talking about?
 Mr. FITZGERALD. Taking advantage of the limitations.
 Mr. SAUNDERS. I simply incidentally referred to what might be done under the existing law, and then I said that in the future, as in the past, the Indian commissioner has no purpose of pursuing that practice.
 Mr. FITZGERALD. I do not understand the gentleman. His statements led me to believe that—and I do not wish to misstate his position—under the provision the commissioner could—
 Mr. SAUNDERS. I do say that.
 Mr. FITZGERALD. Purchase all of the supplies in lots under \$500.
 Mr. SAUNDERS. I say that.
 Mr. FITZGERALD. If he did that he would violate the law.
 Mr. SAUNDERS. I deny that; but I wish to proceed with my remarks.
 Mr. KAHN. He would violate the spirit of the law.
 Mr. SAUNDERS. That may be.
 Mr. FITZGERALD. No; he would violate the law itself.
 Mr. SAUNDERS. He would not violate the law. He could spread his purchases over such a length of time as to be entirely within the letter of the law.
 Mr. FITZGERALD. He would violate the law because he would purchase more than one item of \$500 in the same day from the same individual.
 Mr. SAUNDERS. He might not do that.
 Mr. FITZGERALD. He could not avoid it, taking the total purchase of materials during the year.
 Mr. SAUNDERS. I think he could; but all of that is consuming my time without purpose. What I said was an incidental reference on my part to the fact that the present law was not so drawn as to compel advertisement, but it is not in contemplation on the part of the Indian department to avail itself of that provision of the law.
 The CHAIRMAN. The time of the gentleman from Virginia has expired.
 Mr. FITZGERALD. Mr. Chairman, I ask unanimous consent that the time of the gentleman be extended for five minutes more.
 The CHAIRMAN. Is there objection?
 There was no objection.
 Mr. SAUNDERS. Let us get down to the real merits of this proposition, Mr. Chairman. The trouble about the debate over this warehouse feature of the bill is that it is so often diverted from the main thread of the argument by these matters of detail which are of no consequence. Let us take the warehouse

at Chicago. What territory does that supply? North Dakota, South Dakota, and Minnesota. If there is any merit in the warehouse system, these warehouses ought to be established in the localities adjacent to the point of ultimate shipment in order that the people intended to be served might be served in the best and most effective way.

Mr. FORNES. Will the gentleman yield for a question?

Mr. SAUNDERS. Yes.

Mr. FORNES. The object of a warehouse is to gather the goods and if possible accomplish an economy by shipping in large bulk. It is admitted that in the city of New York at least 75 per cent of all of the merchandise is handled, considering the importations and the manufacture. It is also admitted that at least 75 per cent of all the clothing manufactured in the United States is manufactured in the city of New York.

Mr. MANN. Who admits that?

Mr. FORNES. As a matter of proof, consider the clearing-house reports from the city of New York and you will get at what the fact is. Now, in the inspection of clothing, is it not in order to make a test which is the test to make a comparison, and that can be done if you have some warehouse or storage where this clothing is brought where the comparison may be made? Is it not also true in respect to coffee and tea? Then, if that is true and if there is but one warehouse, that warehouse should be located in the city of New York, where the larger transaction of business takes place.

Mr. SAUNDERS. Well, I will agree that if there is to be a warehouse, my friend's city is the place where it should be established. But in the progress of the inquiry that the commissioner will have to make and in the progress of the work that the commissioner will have to do, we want to leave him in such a situation, with respect to the interests of the Indians, that he may discontinue such warehouses as serve no useful purpose. If your New York warehouse ought to be maintained, why, maintain it. If the Omaha warehouse ought to be maintained, why, maintain it; but at least leave this great department in such a situation that in the conduct of the business for which it is responsible to the Government and the American people it can show by the results attained that it is most effectually serving the Indians and thereby discharging its functions in the most acceptable manner.

Now, this is a proposition of economy; not a large economy, but a saving of rent, of official salaries, and in the matter of freight, which, in the aggregate, is worth consideration. We Democrats who are talking about what we are going to do when the opportunity comes to illustrate how effectively we can serve the interests of economy can not refuse, when an opportunity like this is presented—

Mr. PRINCE. Will the gentleman yield for a question?

Mr. SAUNDERS. I will yield.

Mr. PRINCE. Mr. Chairman, in making these economies to which the gentleman refers, does it affect the efficiency of the public service?

Mr. SAUNDERS. It promotes it, it promotes it; and, as I was on the point of saying, we Democrats who talk about our purpose to illustrate by our actions economy in the administration of public affairs on a large scale can not preserve our consistency before the American people should we fail to take advantage of the opportunity now presented to effect a not inconsiderable saving. This small economy has been recommended on the part of the Committee on Indian Affairs, and as we have done our utmost to work out a recommendation of value and to furnish the facts which support the recommendation, we ask favorable action on the part of this body. If our recommendation is approved, we feel sure that the highest interests of the Indians and the cause of good government will be thereby subserved and promoted. [Applause.]

Mr. DOUGLAS. I submit, Mr. Chairman and gentlemen of the committee, that this debate illustrates a state of affairs on the floor of this House which is regrettable. When the Navy Department undertakes, acting in the interest of economy and good administration of the affairs of the Navy, to abolish certain antiquated and useless navy yards throughout the country; when the attempt is made to abolish useless and expensive pension offices throughout the country; and now when the attempt is made to abolish warehouses scattered throughout the country which the Indian Commissioner, in the interest of economy and the good management of his department, wants to get rid of, we see in each case what we have seen here to-day—the Representatives of the cities or localities interested band themselves together to oppose the change and to prevent the economy of administration which is sought. I submit that this is a lamentable state of things—

Mr. PARSONS. Will the gentleman yield?

Mr. DOUGLAS. In a moment. As matter of fact, I fear that it is a state of things difficult to avoid. For it seems true in every case that local interest absolutely overrides public interest, and on every such occasion we see here the marshaling of their forces by the men whose districts are interested to vote down a proposition intelligently made in the interest of economy and better administration. Therefore I appeal, so far as I am concerned, against local interest as opposed to the larger public interest, and urge you to give the commissioner a free hand in this matter, as I believe any private board of directors would give to their employee a free hand, to work out in his department any administrative reform which he believes he can accomplish.

Mr. PARSONS. What figures has the gentleman to show that this will be a reform?

Mr. DOUGLAS. We do not need figures—

Mr. PARSONS. All right.

Mr. DOUGLAS. Here stands the fact, that the Secretary of the Interior, the Commissioner of the Indian Bureau, and those under him appeal to Congress, not to override the law, for that is not true, but merely to fail to make an appropriation for, and not to require them to rent and maintain, antiquated warehouses, when they believe that the business can be better done without them.

Mr. PARSONS. Where does the commissioner appeal for this?

Mr. DOUGLAS. I understand that the chairman of the Indian Committee, one of the most straightforward and intelligent Members of the House, expresses the opinion of the commissioner in this matter; and not only so, but the Secretary and the commissioner in their reports have made the recommendation.

Mr. PARSONS. What I wish to say is that we have not been furnished with the commissioner's report or with the Secretary's report, and in the Book of Estimates there is a general expression of the commissioner that if the rental is done away with things can be cheaper, but no argument is presented. Last year we had a very full discussion of the subject, and the department should have known that we wished figures, or wished arguments, on the subject. We are not furnished with any at all, but with just general conclusions that this will be an economy.

Mr. DOUGLAS. Will the gentleman permit me to make this suggestion to him? Has he personally or as a Representative any doubt whatever that the Commissioner of Indian Affairs in administering this appropriation will do it in the interest of good management and economy, without regard to the question as to whether warehouses are to be maintained or not?

Mr. PARSONS. I am not prepared to answer that question until I know just what he is going to do. If he is going to leave the purchases to be made in less than \$500 lots, then I say he is going against economy, and that is the proposition of the committee, as stated by the gentleman from Virginia [Mr. SAUNDERS]. I will say further, that unless he has a system of inspection which will show that a better result will be achieved for the Indians by getting them their goods cheaper, their clothing cheaper, and of a better quality, than the present system, then the present system ought to be adhered to. He does not show us that the new system will give them better clothing and cheaper prices.

Mr. DOUGLAS. I submit to the gentleman, if I may do so, that the question of inspection is not involved at all. In fact, the Government officers inspect these goods, whether they go to the warehouses or whether they do not. How can the gentleman for a moment insist, when the statistics presented show that from 5 to 10 per cent of the cost of these goods is spent in maintaining warehouses, that they ought to be maintained?

Mr. PARSONS. It seems to me that is a very small percentage. In New York it is 5 per cent. The cost of retailing goods in New York is 33 per cent. The 5 per cent, therefore, is a very small amount. My colleague [Mr. FORNES] is familiar with the clothing business, and I judge from what he says that, in his opinion, the scheme of the commissioner to do away with the warehouses will not result in better or cheaper clothing. [Cries of "Vote!"]

Mr. FITZGERALD. The gentleman from Ohio [Mr. DOUGLAS] is unduly alarmed about Members combining to protect local interests. I am entirely indifferent whether there is a warehouse in New York or Chicago, and I am quite certain the gentleman from Ohio does not think that a business of \$300,000 a year makes any perceptible impression upon the amount of business done in the city of New York.

I know something, Mr. Chairman, about the reasons for the establishment of these warehouses, and my memory goes back beyond the service of the present Commissioner of Indian Af-

fairs. These warehouses were not established so much because it was believed that economy would be effected as a result, but in order to prevent the gross frauds that were being practiced upon the Indians in the United States. It has been stated that about \$1,000,000 of supplies are sent to the warehouses and about three millions direct to the Indians. Certain heavy standard goods—farming equipment, farming material, and so forth—are not inspected at all. No frauds can be practiced upon the Indians in regard to them. They are purchased and shipped direct to the agencies when the requisitions come from them. Clothing, foodstuffs, teas, coffees, and other provisions are shipped to the warehouses and inspected there, because in the past it was shown that after the samples were submitted and examined, and the goods arrived on the reservations, they were of such a character that they could not be used by the Indians in any respect.

Mr. CAMPBELL. Will the gentleman yield for a question?

Mr. FITZGERALD. Yes.

Mr. CAMPBELL. Does the gentleman know of any reason why such an assignment of goods could not be returned from the agencies as well as from the warehouses?

Mr. FITZGERALD. I do. It is because in the agency there is no man who is competent to pass upon the matter.

Mr. CAMPBELL. That is a sad reflection upon the Indian agent.

Mr. FITZGERALD. The gentleman from Kansas is a much better equipped man than any man who is now an Indian agent in the service of the United States, and if clothing were shipped to him which was supposed to come up to a certain sample, he would be no more fit to pass an opinion upon it than I am, and he could not do it.

Mr. CAMPBELL. Is there a man maintained in the warehouse that is an expert in the examination of coffee?

Mr. FITZGERALD. I will explain the situation, if the gentleman will allow me. He could not tell whether coffee sent to a reservation was either coffee or some other of the things described here when the pure-food bill was under consideration. Expert examination and inspection is required. I know something about the clothing part of it. When Mr. Bliss, Secretary of the Interior, started the movement to stop the gross frauds practiced on the Indians he selected as inspector of the clothing one of the leading clothing manufacturers of the United States, a member of one of the leading firms, a man whose income from the business is more than \$100,000 a year. He was selected on the suggestion of men associated in the clothing business, who had nothing whatever to do with the manufacture of the stuff supplied to the Indians. His compensation under the law was \$10 a day when actually employed.

The suits of clothing which are furnished to the Indians cost less than \$2 a suit. They are made of khaki and other stuff. A difference of 1 penny a yard in the material would amount to a small fortune to many of the contractors under an ordinary contract; a difference of one-eighth of an inch in the width of the braid on the suits would mean an enormous profit to them. Differences of the slightest character in the buttons placed upon them would mean a very large profit. Differences in the quality of the material is of much greater importance. When the specifications are prepared samples of the goods are selected and sample suits are manufactured and distributed to the bidders that they may submit their bids. When the goods are made they are shipped in bulk to the warehouse.

When the clothing was all shipped to the warehouse the gentleman who had been designated as inspector went there. The suits are stacked in bales, and these bales are opened at random and samples taken from the bales. These suits taken from the warehouse were sent to the establishment in which he was interested and submitted to the same tests and examinations that the materials which were used in a house doing a business of \$5,000,000 a year were submitted. If these samples passed that inspection, the goods were held in the warehouse, and when requisition was made for them they were shipped directly west to the agency. What would happen if the suggestion that the inspection be had at the factory were adopted? Requisition would be made for goods, and unless a man were at the factory to which the manufacture of every suit manufactured the Government would be defrauded with little difficulty, and the Indians deprived of what they are entitled to under the treaties.

In the purchase of coffee the same thing happens. A sample is selected and bids are invited according to the sample. The contract is awarded, the coffee is shipped in bulk to the warehouse, and it is passed on by some competent person. I know of an instance where in connection with the clothing contracts, because of a great rush, the materials were not sent to the warehouse, but a chance was taken on the manufacturer, and a

carload of goods shipped directly from the place of manufacture. At Buffalo it was stopped and sent back and never delivered to the Government because somebody had made a statement about certain changes that had been made in the goods when it was learned that they would not pass through the warehouse.

The same thing is true of shoes, which are a very important item. Shoes of the cheapest character are furnished. When they are made up and shipped into the warehouses, samples are selected at random, and if they do not come up to the specifications they are not retained. The manufacturer does not attempt under this system now to take the chance of submitting work under his contract that does not come up to the specifications. Now I yield to the gentleman from Virginia.

Mr. SAUNDERS. What the gentleman from New York has been describing as going on in the past in New York, is that going on now; is that the way the inspection is being made at the present?

Mr. FITZGERALD. Yes; I so understand.

Mr. SAUNDERS. And the gentleman thinks that is in the interest of the Indian and ought to be maintained?

Mr. FITZGERALD. Yes.

Mr. SAUNDERS. If that is abandoned it will be to the detriment of the service?

Mr. FITZGERALD. I think so.

Mr. SAUNDERS. Well, there is nothing in the bill that will hinder the Commissioner of Indian Affairs from continuing that very system and practice, and he will be derelict in his duty if he does not do it.

Mr. FITZGERALD. No; there is nothing in the bill to prevent that, but the avowed purpose is to abandon the warehouses, and the commissioner has said they are unnecessary. Now, I am going to take up another suggestion of the gentleman from Virginia. Mr. Chairman, no governmental enterprise can be run as a private business. All this talk of giving certain discretion and unlimited power to bureau chiefs and the heads of departments is ridiculous. The governmental business is hedged about by certain limitations and regulations, because it is found essential to so hedge them about in the interest of good government. One of the things that has been found essential is that the purchase of supplies for the departments shall not be made in open market, but be made upon competitive bids after advertising.

Mr. SAUNDERS. May I interrupt the gentleman? What is there in the law that requires the commissioner to use warehouses?

Mr. FITZGERALD. Nothing that I know of.

Mr. SAUNDERS. Nothing except the judgment of the administrative officer. What at present is there in the law that requires the commissioner to use any specific form of inspection?

Mr. FITZGERALD. Nothing.

Mr. SAUNDERS. We have left that to the judgment of the commissioner.

Mr. FITZGERALD. That is a matter purely administrative. Take the payment of rent. He need not use the warehouses, but he must maintain them under the law.

Mr. CARTER. I would like to ask the gentleman a question. I would like to ask if these warehouses are maintained in any other department of the Government.

Mr. FITZGERALD. No; they do not exist in any other department; but the same system prevails. In the Army and Navy goods are shipped to navy yards and depots, and there the inspection takes place.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. FITZGERALD. I ask that my time be extended five minutes.

Mr. BURKE of South Dakota. Mr. Chairman, I move that all debate be closed on this paragraph.

Mr. CARTER. I would object to that. The gentleman from Illinois desires to be heard on this.

Mr. BURKE of South Dakota. How much time does the gentleman suggest?

Mr. YOUNG of New York. Mr. Chairman, I would like to have five minutes.

Mr. BURKE of South Dakota. Is the gentleman for or against the proposition?

Mr. YOUNG of New York. I am in favor of it.

Mr. BURKE of South Dakota. How about the gentleman from Illinois?

Mr. CARTER. I think he is against the amendment.

Mr. BURKE of South Dakota. Then, Mr. Chairman, I move that all debate on this paragraph and amendments thereto be closed in 15 minutes.

The CHAIRMAN. The question is on the motion of the gentleman from South Dakota that debate on this paragraph and amendments thereto be closed in 15 minutes.

The question was taken, and the motion was agreed to.

The CHAIRMAN. Is there objection to the request of the gentleman from New York that he may be permitted to speak for five minutes? [After a pause.] The Chair hears none.

Mr. FITZGERALD. Mr. Chairman, although the general policy has been that these supplies must be purchased by contract after competitive bidding, after advertisement, because of the inconvenience that arises in the purchase of some insignificant things, an exception has been made for purchase in the amounts under \$500. No public official would dream of or dare to purchase \$1,000,000 worth of supplies in \$500 lots in order to avoid the statute.

So far as I am personally concerned, I am indifferent whether a warehouse be maintained in the city of New York. I know where it is located. It is not near my district, and nobody in my district has ever made a dollar out of supplies under these contracts. Nobody that I know has ever had anything to do with them. What I am stating to the committee I know, because during six years that I served on the Committee on Indian Affairs, before the present commissioner came into office, these frauds of which I speak were not then entirely eliminated, and there were continual attempts being made to eliminate them.

There was a gentleman from St. Louis, a Member of this House—a Republican Member in the Fifty-sixth Congress—who served upon the Sioux Commission which went down into the Sioux country in 1876, if I recall correctly, and negotiated a treaty, and he stated repeatedly that as a result of five months' investigation in that territory he had ascertained that the Sioux Indians had been defrauded of over \$3,000,000 because of the system of purchasing supplies to which they were entitled under various treaties. The supplies were purchased upon sample and then shipped, without the warehouse system, direct from the place of purchase into the reservation. The warehouse system was originated and was put into operation in order to stop the gross frauds which were being practiced at that time. It may be that some persons unfamiliar with the history of the Indian service, with some brand-new-fangled ideas of the heads of departments doing as they please in certain matters, have ascertained that about \$30,000 might be saved in rent and expenses by a discontinuance of these warehouses. I have no doubt that if that money were not expended it would be saved, but, Mr. Chairman, a more important question than whether that \$30,000 shall be saved or expended is, Will the best interests of the service and of those whom we are charged to protect be advanced by the abandonment of these warehouses? My experience and information lead me to believe that they would not, and that it would be a serious mistake to initiate the other policy and abandon the present one.

Mr. SAUNDERS. Will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. SAUNDERS. Is it not a fair construction, from the gentleman's attitude, that all of these purchases in the interest of the Indians ought to be through the warehouses?

Mr. FITZGERALD. Not necessarily.

Mr. SAUNDERS. The great bulk, as a matter of fact, do not pass through them.

Mr. FITZGERALD. Not all. Horses and cattle, for instance, are inspected where purchased; heavy standard articles, like plows and other agricultural implements, need no inspection; and let me suggest just one other thing. The gentleman spoke about these warehouses being located near the places where the supplies were to be distributed. They are not located there and should not be located there.

Mr. SAUNDERS. Why not?

Mr. FITZGERALD. There is no necessity for them there. They should be located in the market centers where the supplies are purchased.

Mr. SAUNDERS. Why, there are a great many of these things that can be purchased on the ground much more cheaply than they can be at the great centers.

Mr. FITZGERALD. You can not purchase coffee as cheaply on a reservation.

Mr. SAUNDERS. That is only one thing.

Mr. FITZGERALD. You can not have clothes manufactured more cheaply than in New York or Chicago. You must have the warehouses located near the place of purchase and the inspection made at that point.

Mr. SAUNDERS. Considering the item of freight, you might very well have the clothing manufactured for the Indians much more cheaply than in New York, and shipped to St. Louis and distributed.

Mr. FITZGERALD. No; the manufacture of clothing, like other things, is peculiar. Clothing can be manufactured more cheaply in New York because of the peculiar conditions of the

clothing trade in New York, and this particular class of cheap clothing they can manufacture in New York and sell in Nebraska more cheaply than it could be made in Nebraska. The people who are engaged in that particular business are found in the congested centers.

Mr. SAUNDERS. I rather imagine that St. Louis would challenge that statement.

Mr. FITZGERALD. If the gentleman will ascertain the people who are engaged in that class of manufacturing, he will find out that none of them are in his State nor in Missouri. They are settled in the congested sections of the great cities, and they are a very important factor in certain lines of work.

Mr. SAUNDERS. There can not be very much in that case; only \$300,000 went through your warehouse. That could not have been all clothing.

Mr. FITZGERALD. I do not say it is all clothing, but the gentleman forgets that suits of clothes that do not cost over \$2 apiece will permit the supply of a very large number for about \$50,000.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. YOUNG of New York. Mr. Chairman, I take exception to the remarks of the gentleman from Ohio in his statement that the cities having these warehouses have banded together for their maintenance. I will not be so classed in this method. I am exceedingly sorry to be compelled to take a different stand on this subject from my associates on the committee. I do so simply in the interest of economy, in the interest of good management, and in the interest of safe conduct of the business of the Government. I do not know where the warehouse in New York is located. I never saw it; I never knew anybody connected with it in any way; but from a business standpoint I recognize the need of having some warehouse under governmental control, where the supplies that are furnished for the Indians or any other department shall be inspected before they are forwarded to their destination, thereby endangering their return at an enormous expense to the parties who furnished the supplies or the deliverance to the Indians of goods of an inferior character from that which it was intended to furnish.

Mr. STEPHENS of Texas. Will the gentleman permit a question?

Mr. YOUNG of New York. I will.

Mr. STEPHENS of Texas. Is not the gentleman aware of the fact that the word "storage," that we have substituted for "rent of warehouses," will permit that very thing to be—

Mr. YOUNG of New York. I know the word "storage" put into the bill means the closing of one or more of these warehouses, and it is so understood in the committee.

Mr. STEPHENS of Texas. Not necessarily so.

Mr. YOUNG of New York. I am perfectly satisfied that these warehouses have answered an excellent purpose and will continue to do so. It is impossible for the Government economically to send inspectors all over the United States to inspect the purchases in the factories and to assure the deliverance of the goods which they have bought and have passed upon.

Mr. BYRNS. Granting we need warehouses, does not the gentleman think it would be more economical to have one general warehouse and thereby save the rent paid for these four or five warehouses, located all over the country, and the salaries which are paid to keep them up?

Mr. YOUNG of New York. I say that these warehouses are economically managed. The figures which have been given indicate that it costs about 3 per cent for the receipt, inspection, and distribution of the goods passing through them. At these warehouses large quantities of supplies are delivered in bulk. They are then broken up into small quantities and shipped to the various points and destinations where required. I believe that that is the only sound principle for the conduct of affairs. The Navy Department and War Department have their warehouses where goods are received and examined before they are sent to the posts or the depots of the Army and the Navy, and I do not think that any greater safeguard can be set up in the interest of the Indian than the maintenance of the warehouses where the inspector can have his samples, compare the goods exactly as they do in the customhouses, and if the goods are found inferior return them to the manufacturer or merchant at once and have them replaced by goods of proper quality and quantity. I think that it is an economical proposition, that it is a wise provision, and that these warehouses should be maintained, and I do not know why any of them should be dispensed with, notwithstanding at Omaha the cost is about 10 per cent. I think the examination for the protection of the Indian is worth that 10 per cent. I think it is only about 3 per cent in New York and about 3 per cent in Chicago, but the average cost is something like 5 per cent. I

do not think that this House should vote to dispense with these warehouses because the Government can not store the goods as economically, and if they are put in a public warehouse there is not the same opportunity for examination. Any man of business understands that. When goods are put into storage you can not get access to them as readily as in a Government warehouse. It costs more to store them, and the rent of all these warehouses is exceedingly low and the cost of the conduct is reasonable. There is no economy in it; it opens the door to fraud and expensive administration of the work of that department. [Applause.]

Mr. MILLER of Minnesota. Mr. Chairman, it is little short of amusing each year to note the specious reasoning resorted to by gentlemen who represent the warehouse cities in their frantic efforts to prove why this iniquitous system should be continued.

One year ago when this subject was up for debate we heard a great deal about economy, about protecting the Indian's expenses and his wealth. After a further discussion and consideration of that, and an investigation over the period of time from then until now, facts have developed which have driven these gentlemen from that excuse and obliged them to find a new one. That which their ingenuity has suggested to them to-day is that the interest of inspection calls for a maintenance and continuation of warehouses in five favored spots. There has not yet been shown any reason why a warehouse is better for the Indians in New York, Chicago, St. Louis, Omaha, and San Francisco than if located in any other five spots you could name on the American continent; but there is shown every reason to believe that when we place those warehouses in those five places we bring a distinct boon and benefit to those five distinct cities.

Mr. Chairman, when these gentlemen with their ingenuity and their energy and hitherto at least partial success, have exhausted themselves to find reasons why this system should be continued, if they would be honest with themselves they would stand up and say that the one real reason actuating them is loyalty to the cities they represent. They forget the Indian they speak about, forget the public service they talk about, and think only of the selfishness of a small part of the American continent. I for one feel convinced that the membership of this House wants to do that which is just and right.

The membership of this House wants the public affairs of the Nation to be conducted with economy, to be conducted with decency, to be conducted in the best interests of the public service. The Secretary of the Interior, in two annual reports, after full discussion of this subject, has unhesitatingly stated that the system of Indian warehouses is wrong in principle, poor in business, expensive, and a positive detriment to the Indian Service. That has been corroborated by two distinct reports on the part of the Commissioner of Indian Affairs. These are not doctrinaires; these are not theorists; these are the men charged with the actual performance of the work connected with the Indians of the Nation. Then, all of the commissioners and the agents throughout the Nation who have had the discharge of the duties under this section of the Indian act are unanimous in asking this body, who has control of the matter, to bring the relief that is needed. All this talk about inspection is pure balderdash. There can be just as good inspection in the Indian service as there can be inspection in any other department of the Interior Department, in the Agricultural Department, Navy Department, or War Department; and when the gentleman from New York, or any other place, rises and says that we must maintain at an expense of \$15,000 a place in his city, so that there can be gathered 2,000,000 pounds of material and brought there just for inspection, he certainly is saying something that does not commend itself to the business judgment of this House. An inspector for the department can go to the factories that have been the successful bidders in the competition for furnishing these supplies and make suitable inspection there. He can make that inspection just exactly as a similar inspection is made in all other departments of the Government. If there ever was a time when the condition of the inspection or other features of the service were such as described by the gentleman from New York, I am glad that something came to do away with that condition.

But we have a new time and a new era now. We are confronted with the condition of 1910, 1911, and 1912, and not of the early seventies. That condition which existed then does not exist now. In the omnibus bill which was passed last June we provided a method by which Indian supplies should be purchased and that method will effectually prevent such conditions as he described. At this hour there remains just one thing to do, and that is to measure up to the demands of the situation. Let us for once forget local greed and rise up to the dignity of the public service of the Nation. For 10, 20,

30, and 40 years people in America have been shedding tears, many of them crocodile tears, it is true, over the poor Indian. They have told us he has been deprived of his lands, he has been robbed of his property, and many an Indian now has not a sufficient plot of ground wherein his bones can rest when his soul goes to join the Great Spirit. We have, however, some serious facts that have given rise to some of these emotions and these expressions, and I want to say, Mr. Chairman, in all seriousness, that one of the things that gives reason for those sentiments and those expressions is the perpetuation of such a system as this very one. [Applause.]

Mr. BURKE of South Dakota. Mr. Chairman, I ask to have the amendment read.

The amendment was again read.

The CHAIRMAN. The question is on the amendment of the gentleman from Nebraska.

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. HITCHCOCK. Division, Mr. Chairman.

The committee divided; and there were—ayes 40, noes 66.

So the amendment was rejected.

The Clerk read as follows:

There is hereby appropriated the sum of \$30,000, or so much thereof as may be necessary, to be immediately available, for the purpose of encouraging industry among Indians, and to aid them to engage in the culture of fruits, grains, and other crops. The said sum may be used for the purchase of animals, machinery, tools, implements, and other agricultural equipment: *Provided*, That the sum hereby appropriated shall be expended subject to conditions to be prescribed by the Secretary of the Interior for its repayment to the United States, and all repayments to this fund as herein provided are hereby appropriated for the same purpose as the original fund, and the entire fund, including repayments, shall remain available until June 30, 1917: *Provided further*, That the Secretary of the Interior shall submit to Congress annually on the first Monday in December a detailed report of the use of this fund.

Mr. MANN. Mr. Chairman, I reserve the point of order upon the paragraph.

Mr. BURKE of South Dakota. Mr. Chairman, this item was made up of three items, aggregating \$45,000. The last Indian appropriation bill carried an appropriation of \$15,000 for a similar purpose on one reservation in Montana, the purpose of it being to supply Indians with implements, with seeds, and other things necessary to enable them to engage in agriculture in a small way and to become self-supporting. The purpose of it is to make the appropriation reimbursable and then reexpend it. The commissioner stated that in one project where they have adopted this practice it has worked very satisfactorily. The committee, instead of giving an appropriation of \$45,000 for three specific projects that were named, made an appropriation of \$30,000, but said that it shall be used for no particular place. That is, part of it may be used at one place and part in another. Now, the commissioner makes this statement about it:

So far as the request for \$30,000 is concerned, we purpose to use this appropriation in encouraging industry among the Indians who have been allotted lands, but who do not participate in any of the funds controlled by the Indian service, and who have no other means of providing themselves with the necessary machinery, tools, implements, and other equipment, including animals needed in the development and cultivation of their lands. The fund is to be reimbursable, and as fast as it is received back it is to be expended for other Indians until June 30, 1917. This plan has proven practicable at several specific points in the service, and has tended to make those Indians who have been assisted self-supporting and independent, at the same time relieving us from the necessity of helping them from gratuity appropriations. In view of the advantages derived from the scheme at the specific points referred to, the extension of the plan seems to be proper.

Mr. PRINCE. I would like to ask the gentleman a question. Two or three days ago I received a letter from a constituent of mine stating, in effect, that the superintendent of the Rosebud Agency in South Dakota had issued orders that the Indians could only buy of certain mentioned agricultural implement manufacturers, notably the International Harvester Trust, and that they were forbidden to buy from others. Do you know whether there has been any such special order made by any of the reputable agents of the Indian Office?

Mr. BURKE of South Dakota. I am unable to answer the gentleman absolutely, but have no hesitation in stating that it is my judgment that there is no foundation whatever for such a report. Your informant has either been misled or does not know anything about what he is writing.

Mr. PRINCE. To be perfectly frank, I will go a little further and state that Mr. William Parlin, president of the Parlin & Orendorff Manufacturing Co., of Canton, Ill., one of the largest concerns in the country, sent me a copy of the order of the agent. I sent a communication to the Secretary of the Interior and asked him if that department was playing favorites of that kind. I received a letter from him this morning saying that he would have the matter investigated. I am asking the gentleman, the chairman of the committee, if this is going on, and

whether this appropriation is to be devoted to dictating to the Indians from whom they shall buy their machinery.

Mr. BURKE of South Dakota. The committee certainly would not tolerate it. I know the Indians purchase agricultural implements at the Rosebud Agency, purchase them from their own funds that are in the banks as a result of the sale of inherited lands, and the moneys can only be expended under the supervision of the superintendent. The superintendent therefore might make such an order as the gentleman has referred to, but if he has, it is certain it will not be tolerated when brought to the attention of the Secretary of the Interior. I do not know the superintendent of the Rosebud Agency very well; I have only a speaking acquaintance with him, having only met him once or twice. He is in the classified service, sent into South Dakota from Oklahoma, and to Oklahoma from some other part of the country, I know not where.

Mr. MANN. Now, if I may ask the gentleman a question?

Mr. BURKE of South Dakota. Certainly.

Mr. MANN. This appropriation, as I understand the gentleman, in the letter from the Indian Office, contemplates the idea that the Government shall purchase for the use of Indians who have received their allotment and are living upon them, farm animals, farm machinery, trees, seeds, and everything else that is conceivable for the purpose of inaugurating farming upon the Indians' property.

Mr. BURKE of South Dakota. Yes; it is an experimental proposition. I am frank to acknowledge that that is what it is.

Mr. MANN. Experimental in one sense.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. MANN. I ask unanimous consent that the time of the gentleman from South Dakota be extended five minutes.

The CHAIRMAN. The gentleman from Illinois asks that the time of the gentleman from South Dakota be extended five minutes. Is there objection?

There was no objection.

Mr. BURKE of South Dakota. Now, I want to answer the gentleman's inquiry a little further. In the appropriation act for 1908 there was a provision of that kind of \$25,000 for Fort Belknap, and the Indian Office, in reporting upon that as it worked out in actual practice, makes this statement:

On May 5, 1910, Superintendent Logan reported that expenditures to the amount of \$24,961.94 had been made under the appropriation "Purchase of implements, reimbursable, Fort Belknap." This amount has been used for the purchase of implements, machinery, and horses to be issued to Indians who are now making monthly payments from their work checks and from funds derived from their annual crops. At that date the fund had been reimbursed to the amount of \$8,668.31, and from present appearances this fund will be reimbursed within the next few years, and the surplus left as a foundation for a perpetual revolving industrial account.

Mr. MANN. Now, that is what we want to get at. If the Government starts in to furnish the money to one Indian for the purpose of furnishing all the necessities to commence farming, can they make a distinction between that Indian and his Indian neighbor?

Mr. BURKE of South Dakota. Oh, yes.

Mr. MANN. On what principle?

Mr. BURKE of South Dakota. The policy in the administration of the Indian Office is to encourage such Indians as indicate a disposition to become self-supporting, and to keep away from the lazy, worthless Indians anything except enough to sustain them if they are incapable of work.

Mr. MANN. How are you going to tell whether an Indian is self-supporting until you try? Here is an Indian that has land suitable for farming, and he comes to the Government and says "I want a pair of horses or a pair of mules," if our Democratic friends get into control [laughter], or farm machinery or seed, and how can you say you will supply one Indian with these necessities unless you supply them to other Indians who want to do farming?

Mr. BURKE of South Dakota. We can withhold it in the same way that we withhold rations from one Indian and give them to another.

Mr. MANN. You may adopt the same arbitrary principle, but you can not tell, with reference to farming, whether one Indian is capable of farming and another is not. You can tell whether one Indian is in need of rations or not. Some of them probably starve because they do not get them, but if you find them starving you give them the rations, but you can not tell what an Indian can do on a farm until you try him.

Mr. BURKE of South Dakota. Some of the Indians have what is known as individual money on deposit in the banks, the proceeds of the sale of land which they have inherited. They make application to the superintendent to expend a portion of that money for a team of horses, we will say. In one

case they would grant the application and permit the Indian to purchase the team of horses and in the other case they would decline to do so, because in the one case they would think that if the Indian got the team he would make good use of it and in the other case that he would only keep it a short time and then perhaps dispose of it.

Mr. MANN. I am quite willing to admit to the gentleman that the agent can draw distinctions in that way, but I am not willing to admit that the agent can draw the fine distinction which would authorize us to begin an expenditure of \$30,000 and divide the money among those Indians who have allotments, most of whom would want to obtain the use of the money—divide it among those who ought not and those who ought to have the use of it.

Mr. BURKE of South Dakota. I think the gentleman will acknowledge that out of the twenty-four thousand and some odd dollars that already \$9,000 has been repaid into the fund is a remarkably good showing.

Mr. MANN. I do not see anything remarkable about it. The General Government could to-day provide a fund under which every person who went on an irrigation project with 40 acres of land might obtain farm machinery and be reimbursable; and in course of time would be reimbursable. We have lots of poor people in Chicago and New York and elsewhere who would like to go on the farms.

Mr. BURKE of South Dakota. The position of the Government toward the Indians is quite different from that toward the citizens generally. I don't think it is a fair comparison to say that we should not discriminate between the Indians and other citizens or inhabitants of the country—call them citizens, if you desire.

Mr. MANN. What marked distinction is there, or ought there to be, on the part of the Government in treating Indians who have received their allotments and whose tribal relations have been dissolved and who have become citizens of the State and voters of the State, and other people who are in similar conditions?

Mr. BURKE of South Dakota. I will say to the gentleman that not until the decision of the Supreme Court in the matter of Heff was it contended that an Indian who had taken his allotment was a citizen. It was decided, I believe, in that case that under the act of 1887 they had in fact become citizens of the State in which they reside. Now, many of these Indians who have taken allotments are Indians that have not advanced at all; they are old, blanket Indians. Congress saw fit to change the law in 1906 so that any Indian who was allotted thereafter would not become a citizen during the trust period. I think that had the act of 1887 been enacted at a time when we have as much information as we have at the present on the Indian question it would have so provided.

I want to say that in a decision rendered in Oregon in a United States court recently—I have not the title of the case—the court held that an Indian who had taken his allotment, notwithstanding the decision in the Heff case, was still a ward of the Government.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BURKE of South Dakota. I ask unanimous consent that the time of the gentleman from Illinois be extended for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MANN. I would like to inquire of the gentleman what the regulations are under which these funds are reimbursable.

Mr. BURKE of South Dakota. Why, I presume that there is an account kept with the Indians, the moneys expended for them or at least under the supervision of the superintendent and—

Mr. MANN. I thought perhaps the gentleman might have the conditions before him?

Mr. BURKE of South Dakota. I have not.

Mr. COOPER of Wisconsin. Did I understand the gentleman to say that those two decisions were in conflict?

Mr. BURKE of South Dakota. I wish I had the decision. There have been several decisions from the Supreme Court during the last year or year and a half affecting the Indians, and one of the very late cases is the Celeste case, and it seems to conflict somewhat with the decision in the Heff case, and the question involved in the Heff case was one of police jurisdiction, as I recall it, in an alleged violation of the law relating to the sale of liquor.

The United States court held that the Indian was subject to the police jurisdiction of the State; that he became a citizen under the allotment law of 1887; and that he could not be part citizen and part ward, and yet I think a later decision, the decision in the Celeste case and one or two other decisions, sort

of put a different construction on the law or modified it somewhat. In this case to which I have referred the court holds that the Indian is a ward of the Government.

Mr. COOPER of Wisconsin. Was he an allottee?

Mr. BURKE of South Dakota. Yes; he was practically in the same condition as Heff was, only involved in another way.

Mr. MANN. Whether he is a ward of the Government or not, under these situations he is a citizen and a voter.

Mr. BURKE of South Dakota. That is probably true.

Mr. MANN. That is correct in the gentleman's case.

Mr. BURKE of South Dakota. Indians who have taken their allotments prior to May, 1906, where the allotments have been approved are entitled to vote in the State where they reside if there is a place provided where they can vote.

Mr. MANN. The gentleman's bill carries this year an appropriation of \$30,000, to be reimbursable and expended thereafter. If the Government inaugurates this plan and carries out the scheme started a few years ago, does the gentleman have any doubt that we will be called upon to appropriate very large sums of money for this purpose?

Mr. BURKE of South Dakota. Well, of course, that would depend upon circumstances. If it can be shown that it is money well expended, if it is saving the Government in the expenditure of purely gratuitous appropriations, such as we have been making in the past, I should say that it would be money well expended. If it shows that it is a mere theory and does not work out in practice so that it accomplishes anything, why I presume that it will be terminated.

If it shows that it is a mere theory and does not work out in practice so that it accomplishes anything, why I presume that it will be terminated.

Mr. MANN. Does the gentleman think there will be any trouble if the Government had \$30,000 or \$3,000,000 or possibly \$30,000,000 to expend in this same way for the benefit of white people who wanted to go on new land that there would be any difficulty about expending it?

Mr. BURKE of South Dakota. I do not think there would be any difficulty about expending it, but there would be a great deal of difficulty about reimbursement in the end.

Mr. MANN. Possibly; possibly not; it may be in both cases difficult about reimbursing it.

Mr. BURKE of South Dakota. I think there is difficulty about working it so the fund will be ultimately recouped.

Mr. MANN. There are no proper conditions which could be imposed which would take the land away from the Indian if he did not repay the money.

Mr. BURKE of South Dakota. Oh, no.

Mr. MANN. You can not take a mortgage on his land?

Mr. BURKE of South Dakota. That is true, but of course the gentleman knows that many of these Indians come into the possession of individual moneys from the sale of land from deceased relatives. The policy of the Government of course will be where money has been advanced and the Indian has money of his own, to cause him to pay what the Government has advanced in the past.

Mr. MANN. Well, that is the case with everybody.

The CHAIRMAN. The time of the gentleman from South Dakota has again expired. Does the Chair understand the gentleman from Illinois to make the point of order?

Mr. MANN. I make the point of order against the paragraph.

The CHAIRMAN. What is the point of order?

Mr. MANN. That the appropriation is not authorized by law and that the item carries an appropriation contrary to the rule.

The CHAIRMAN. Does the gentleman from South Dakota desire to be heard upon the point of order?

Mr. BURKE of South Dakota. I think I do for just a moment and I ask the indulgence of the committee. I will state, Mr. Chairman, when, a year ago, the item with reference to the appropriation for experimenting farming, matrons, support of Forest Service, and so forth, was under consideration the present occupant of the chair was presiding and there was a provision in the paragraph which appeared to the Chair to make it subject to the point of order, which was eliminated, and then the Chair overruled the point of order, and I would like to examine and find the section of the statute under which we contended the item was not subject to the point of order, and if there is no objection I would like to pass this without prejudice.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent that this item be passed for the present with the point of order pending. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

For payment of necessary interpreters, \$8,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word. This item for years, as I recall it, has carried a provision that a person already in the employ of the Government could not also be paid as an interpreter. I do not know but there is good reason for it, but I ask if it is desired to abandon that position, if there be a reason.

Mr. BURKE of South Dakota. That was made permanent law in the last bill, if the gentleman will look at the last-year law.

Mr. MANN. I believe that is correct.

The Clerk read as follows:

For continuing the work of constructing an irrigation system for the irrigation of the lands of the Pima Indians in the vicinity of Sacaton, in the Gila River Indian Reservation, \$125,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word. This is the first irrigation item, and I understood the gentleman to say in his opening remarks that he would explain to the committee rather fully the question of Indian irrigation.

Mr. BURKE of South Dakota. This project, Mr. Chairman, total estimate of cost is \$540,000—

Mr. BUTLER. For irrigation alone?

Mr. BURKE of South Dakota. This is for an irrigation project.

The total estimated cost of this project is \$540,000; \$318,446.50 has been spent to June 30, 1910. The amount appropriated to June 30, 1910, was \$305,000. Seventy-five thousand dollars was appropriated for the fiscal year 1911. The appropriation asked for for the coming fiscal year shows an increase of \$50,000. This money has been expended in the construction of wells, installing pumps and electrical pumping machinery, the construction of power transmission lines, and the construction of the flood-water canal from the Gila River. This project will irrigate an additional 10,000 acres of land.

The reason we are asking for \$125,000 this year is because the work has so far progressed that the Reclamation Service can now begin to irrigate from the wells as fast as the pumping machinery is installed, and the point is now reached where the speed of construction should be doubled. An appropriation of only \$75,000 for the year 1912 would seriously delay the completion of the work, and so the quicker these works are completed the quicker will the land be in such condition that either under the Indians or under the whites, to whom they may sell part of their properties, the United States may be reimbursed for the total cost of the project.

The construction cost per acre will be approximately \$50, due to the high cost of irrigating from underground waters reinforced with flood waters.

Now, that is the reason for the increase in the appropriation—simply to complete the project—and it provides under the law under which this construction work is being done that the funds shall be reimbursed. Now, this is one of the items and one that I would like some information about, as to just whether or not there has been actually any reimbursement to the present time, and we hope to get the information some time during the winter.

Mr. MANN. I see a reference in there to the reclamation service. Is the reference to the Government Reclamation Service, or reference to what service?

Mr. BURKE of South Dakota. I do not know what is meant by the reclamation service, whether it refers to the general Reclamation Service or the reclamation service of the Indian Office. They have an irrigation engineer, who had charge of such work as has been conducted. But I declined—

Mr. MANN. We read about turning over water to the Reclamation Service.

Mr. BURKE of South Dakota. A portion of the water for this land comes from a regular reclamation project—that is, it is under the Reclamation Service.

Mr. MANN. This is a well project, and the proposition here is that the water from these wells should be turned over to the Reclamation Service. I would like to inquire whether the Indian department was digging wells on Indian lands for the purpose of turning water over to the Reclamation Service, if the gentleman knows.

Mr. BURKE of South Dakota. That is not the intention. It is for giving us irrigation upon this Indian reservation. I think it will appeal to the gentleman that for the project that is to cost about \$500,000 it is better now to complete it, if the money can be economically expended—

Mr. MANN. I quite agree with the gentleman.

Mr. BURKE of South Dakota (continuing). Than to string it out.

Mr. MANN. I quite agree with the gentleman about that. If we enter upon a project of that sort, we ought to expend all the money as rapidly as we can.

Mr. BURKE of South Dakota. That is the theory of the committee, that we would need it at the earliest practicable time.

Mr. STEPHENS of Texas. My understanding is that there is a large Indian reservation there, and the lands have not as yet been allotted to the Indians so that they will know what is the amount of land. But when it is allotted and sold the money will be paid to the Treasury, and we will recover the money we are paying out now for the Indians.

Mr. MANN. I will be perfectly frank with the gentleman. What I desired to ascertain was information about the subject, and which I think the gentleman is not informed about, and I have no criticism about that.

Mr. STEPHENS of Texas. I have my information from the Secretary.

Mr. MANN. I am not questioning the information which the gentleman gave. There is a good deal of controversy as to the digging of wells in that territory. Some people have claimed that we might be able to irrigate large quantities of land with water from artesian wells or wells that are dug. Other people have claimed that we can not. I merely wanted to ascertain whether this was an experiment being carried out at the expense of the Indian Office or through the Indian Office—

Mr. STEPHENS of Texas. My understanding of it is that it is not.

Mr. MANN (continuing). For the purpose of finding out whether they could irrigate down there by means of wells.

Mr. STEPHENS of Texas. My understanding is that there is plenty of water there in those wells, and if this pumping machinery is put in there they will be well supplied with water. Heretofore they have had water from the river, but the white people have taken the water from the river above them, and these Indians have no water for the purpose of raising their crops, and it is necessary that these wells be there.

Mr. BUTLER. It is contemplated by the Government, as I understand it, that some time in the future the Government will be repaid for the money that it is now proposed to expend this year.

Mr. STEPHENS of Texas. Out of the surplus lands not used by the Indians.

Mr. BURKE of South Dakota. They have a very large reservation, but it will probably be some time before any of it is sold so as to reimburse this fund. It will ultimately be reimbursed under that law.

Mr. BUTLER. Can the gentleman give us an idea of how much land is likely to be sold out of which this money can be returned to the Treasury?

Mr. BURKE of South Dakota. If the gentleman had asked a question 30 years ago as to how much land would be sold in the Indian reservations in the Dakotas, I do not suppose any person could have come anywhere near a correct estimate. This land in Arizona is arid in character, and to prophesy how much of it will be sold would be a mere guess.

Mr. BUTLER. I want to ask the gentleman this question: Is there any real likelihood of this money being returned to the United States Treasury?

Mr. BURKE of South Dakota. I think there is.

Mr. BUTLER. Upon what does the gentleman base his judgment?

Mr. BURKE of South Dakota. If this irrigation is successful the money will be returned.

Mr. BUTLER. If not, "Good morning!" of course.

Mr. BURKE of South Dakota. The gentleman will, of course, see that, having spent \$375,000 on the project, costing \$300,000, we have got to complete it.

Mr. BUTLER. I am not objecting to the completion of it; but I was just thinking for a moment about the United States Treasury. Perhaps I ought not to think about it, but I was, and that prompted me to ask the gentleman the question.

Mr. BURKE of South Dakota. I would suggest to the gentleman that in the last bill we provided that no new project should be undertaken until an estimate was made and submitted to Congress. The purpose is to prevent the beginning of projects that call for large sums of money without being fully informed as to whether it is advisable, and it is in the interest of protecting the Treasury.

Mr. MADDEN. I will ask the gentleman if there is any information in possession of the chairman of the committee, or the committee, or the department, that indicates how much it costs an acre to irrigate this land?

Mr. BURKE of South Dakota. This particular project, about \$50 an acre. I may say that this is one of the projects where the cost is considerably above the average. I think we have them as low as \$5 and \$10 an acre. This is considered to be

one of the more expensive projects; and it is justified by the fact that it is in a locality where fruits are produced, and when the land is reclaimed it will be very much more valuable than lands farther north, perhaps, that are not susceptible to fruit raising.

Mr. MADDEN. Has there been a sufficient number of acres of this land irrigated, as the result of the expenditures thus far, to enable anyone to tell what the land will be worth when irrigated?

Mr. BURKE of South Dakota. We have a statement showing the value of irrigated lands in several of the States and Territories, and of land without irrigation that are almost without any value, worth from \$1 to \$5 an acre. When irrigated they are worth \$50, \$75, and \$100, and in some instances three and four hundred dollars an acre.

Mr. MADDEN. Is it the purpose of the Government, when the land is irrigated, so that it will be at its best, to sell it to the general public at a price which will enable the Government to recoup its expenditure and turn the remainder of the receipts over to the Indians?

Mr. BURKE of South Dakota. The general reclamation law contemplates that the Government, on reclamation, will be paid by the people who purchase the land. Now, some of these irrigation projects in the Indian reservations are on that theory, and others are not. As to this particular project, I will cite the gentleman to the proviso in the Indian appropriation act for the fiscal year 1906, as follows:

Provided further, That when said irrigation system is in successful operation and the Indians have become self-supporting, the cost of operating the said system shall be equitably apportioned upon the lands irrigated, and to the annual charge shall be added an amount sufficient to pay back into the Treasury the cost of the work within 30 years, suitable deduction being made for the amounts received from disposal of lands which now form a part of the said reservation. (33 Stat., 1081.)

Mr. MADDEN. Are the receipts from this land to be taken from the amount that would otherwise go to the Indians?

Mr. BURKE of South Dakota. Oh, yes.

Mr. BUTLER. The cost to the Government when finished will be about \$500,000?

Mr. BURKE of South Dakota. Yes, sir; probably \$600,000.

Mr. BUTLER. How much land will be watered by reason of this expenditure of money?

Mr. BURKE of South Dakota. About 12,000 acres.

Mr. BUTLER. About 12,000 acres? How many Indians are there on these lands, and how much likelihood is there of a return to the Government of the money expended on that land?

Mr. BURKE of South Dakota. About 4,000 Indians—

Mr. BUTLER. Will there not be enough Indians to take the 12,000 acres?

Mr. BURKE of South Dakota. No.

Mr. BUTLER. If the Indians do not take all the 12,000 acres of land, the balance will be sold, from which we are to get our money?

Mr. BURKE of South Dakota. If there is any.

Mr. BUTLER. If there is any left. It is not absolutely sure for the United States Treasury.

Mr. BURKE of South Dakota. Oh, no; not absolutely sure. Some are absolutely sure. Money is in the Treasury, in some instances, sufficient to reimburse the Government for every dollar expended.

Mr. BUTLER. I think the gentleman would not advise the officers of the United States Treasury to obligate themselves to pay any money on account of what they may get back into this fund. It seems so to me. How much of this irrigated land will each one be entitled to take?

Mr. BURKE of South Dakota. The amount is usually limited to 10 or 20 acres. Last year they raised something over 100,000 bushels of grain, I understand.

Mr. BUTLER. I was not thinking so much about that as about the question how you will ever get the money back into the Treasury. I suppose there is no way to do it.

The Clerk read as follows:

For support and education of 100 pupils at the Indian school at Truxton Canyon, Ariz., and for pay of superintendent, \$18,200; for general repairs and improvements, \$3,000; in all, \$21,200.

Mr. BURKE of South Dakota. Mr. Chairman, I ask unanimous consent to return to this paragraph at a later time during the consideration of the bill. There is an item to be considered, which was called for in the last bill, contained in a report from the Secretary of the Interior. I understand the report is on the way here, and there may be an amendment to offer at this point. I do not say that I will accept the amendment when it is presented, but I simply ask unanimous consent to return to the paragraph.

Mr. MANN. At what point?

Mr. BURKE of South Dakota. At the end of section 2.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent that this paragraph be passed for the present. Is there objection?

There was no objection.

The Clerk read as follows:

For support and education of 550 Indian pupils at the Sherman Institute, Riverside, Cal., and for pay of superintendent, \$94,350; for new shop building and equipment, \$10,000; for general repairs and improvements, \$10,000; in all, \$114,350.

Mr. MADDEN. Mr. Chairman, I reserve the point of order on the language in lines 24 and 25—

For new shop building and equipment, \$10,000.

Mr. BURKE of South Dakota. It has been the practice for years, ever since the establishment of these schools, to appropriate for new buildings, and there has been no bill passed in years that did not contain many such items.

Mr. MADDEN. This is for a shop.

Mr. BURKE of South Dakota. It appears to be a necessity in connection with the large school at Riverside. That is an industrial school, and it is handicapped for the want of a shop. It appeared to the committee that we ought to provide for it. It is used in connection with the education of the Indians.

Mr. MADDEN. What do they do in the shop?

Mr. BURKE of South Dakota. They have all the industrial lines.

Mr. BUTLER. Do they teach them trades?

Mr. BURKE of South Dakota. Blacksmithing, harness making, and various trades.

Mr. MADDEN. And the chairman of the committee thinks this is a necessity in connection with this school?

Mr. BURKE of South Dakota. I do most assuredly.

Mr. MADDEN. I withdraw the point of order.

The Clerk read as follows:

FLORIDA.

Sec. 4. For relief of distress among the Seminole Indians in Florida, and for purposes of their civilization, \$10,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I am not sure that this item is subject to a point of order. I believe that point was ruled on last year.

Mr. BURKE of South Dakota. Yes.

Mr. MANN. What has been done with the \$10,000 we appropriated last year?

Mr. BURKE of South Dakota. The appropriation last year was \$15,000.

Mr. MANN. So it was.

Mr. BURKE of South Dakota. The department now have a representative who is making an inspection of conditions among these Indians. His report has not yet been received. I believe he expects to report in the very near future. It was thought that we should put an item in the bill this year in order to grant relief in case the report shows it to be necessary.

The Clerk read as follows:

To complete the work of constructing an irrigating system for the irrigation of lands on the Fort Hall Reservation, Idaho, and lands ceded by the Indians of said reservation, \$85,000, including \$10,000 for maintenance, to be immediately available.

Mr. BUTLER. Mr. Chairman, I move to strike out the last word, for the purpose of asking the gentleman from South Dakota a question about this paragraph.

Mr. BURKE of South Dakota. I will say to the gentleman that there has been appropriated for this project \$675,000 to irrigate 75,000 acres of Indian allotments. The appropriation of this amount is made for the completion of this project and to maintain it for the next fiscal year, and we only made the recommendation for this item with the distinct and express understanding and assurance that this will complete this project and there is to be no more money expended in construction work.

Mr. BUTLER. Is there any greater likelihood that this will be reimbursed than there was about the other matter about which we talked?

Mr. BURKE of South Dakota. Yes; I think there is.

Mr. BUTLER. Does not the gentleman think the Government better forget it along with the other?

Mr. BURKE of South Dakota. I will say that it was contemplated that the cost of this project should be reimbursable from the sale of land, and it was estimated that the cost of reclamation was \$18 an acre. In the last Indian appropriation act a provision was incorporated in the Senate in effect providing that those who acquired land under this project might do so at \$6 an acre, because that was alleged to be in accordance with the law under which this project is being constructed. And under the law as it is now, of course, the Government is going to lose \$12 an acre.

Mr. BUTLER. Well, if the Government does lose money, if it is an advantage to the Indian, the people of the United States will not make complaint. Now, let me ask, Has this irrigation project, within the gentleman's knowledge, been of any service to the Indian; has he become an agriculturist?

Mr. BURKE of South Dakota. Yes; the project has been of advantage to the Indian. Here is a project that could have been worked out with the same benefit to the Indian that he now receives without a single dollar of cost to the Federal Treasury, and it ought to have been so worked out, but those who were legislating when this project was commenced were looking after the interests of the white man just as much as they were after the interests of the Indian.

Mr. BUTLER. The white man could not get any advantage of this except by way of contract.

Mr. BURKE of South Dakota. Yes; the white man owned land. If there is a white man's land in with the Indian allotment, you can not keep the water entirely on the allotment. The white man can get water, too.

Mr. BUTLER. Yes; if the white man has land surrounded by land of the Indians, the water may leak over onto his land.

Mr. BURKE of South Dakota. No; but the white man has a right to the water for \$6 an acre, the same as the Indian.

The Clerk read as follows:

For fulfilling treaty stipulations with the Bannocks in Idaho: For pay of physician, teacher, carpenter, miller, engineer, farmer, and blacksmith (art. 10, treaty of July 3, 1868), \$5,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word. It is so remarkable to leave out a provision for the support and civilization of any tribe of Indians that I would like to know why we quit supporting the Bannocks. We formerly carried an item for the support and civilization of this tribe of Indians, and I would like to know, to inquire, whether they are fully civilized.

Mr. BURKE of South Dakota. What is the gentleman's point?

Mr. MANN. You have left out the item for the support and civilization of the Bannocks.

Mr. BURKE of South Dakota. Do I understand the gentleman from Illinois to state that there was a provision in the bill of last year for the Bannocks that is not in the present bill?

Mr. MANN. That is my understanding.

Mr. BURKE of South Dakota. In lines 17 to 21 of the bill, page 10, does not that refer to the Bannocks?

Mr. MANN. Yes; but in lines 8 and 9 of last year you carried an appropriation "for the support and civilization of the Shoshones and the Bannocks." Now, this year you leave out the Bannocks.

Mr. BURKE of South Dakota. Mr. Chairman, if the word "Bannocks" is left out, it is a mistake of the Printing Office; it was in the original bill.

Mr. MANN. I thought I could not be mistaken. I did not think that any tribe had been so far civilized that it did not need an appropriation for support and civilization.

Mr. BURKE of South Dakota. The gentleman will find some omissions of that character before we finish reading the bill. Mr. Chairman, I ask unanimous consent to return to line 9, and after the word "Shoshones" put in the word "Bannocks." It was inadvertently omitted.

The CHAIRMAN. Is there objection to returning to the item?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 10, line 9, after the word "Shoshones" insert the word "Bannocks."

The amendment was agreed to.

The Clerk read as follows:

MICHIGAN.

SEC. 7. For support and education of 300 Indian pupils at the Indian school, Mount Pleasant, Mich., and for pay of superintendent, \$51,800; for new lavatories, \$4,000; for new dormitory, \$15,000; for general repairs and improvements, \$5,000; in all, \$75,800.

Mr. MANN. Mr. Chairman, has the committee given up all idea of abandoning some of these Indian schools?

Mr. BURKE of South Dakota. No; I will say, Mr. Chairman, that the Mount Pleasant School is one of the schools that it is not contemplated will be abandoned in the near future. It is one of the schools that is doing good work. There is a large Indian population in Michigan, and really they ought to have more school facilities instead of discontinuing the one at Mount Pleasant.

Mr. MANN. Was there one discontinued in Michigan?

Mr. BURKE of South Dakota. No; I think not.

Mr. MANN. Was there not an effort here a year or two ago to discontinue one in Michigan?

Mr. BURKE of South Dakota. No; I think not in Michigan. In Colorado we had two or three discontinued.

The Clerk read as follows:

MINNESOTA.

SEC. 8. For care of buildings, including pay of employees, at the Indian school, Pipestone, Minn., \$2,000.

Mr. HAMMOND. I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Strike out lines 2, 3, and 4, on page 12, and insert in lieu thereof:

"SEC. 8. For support and education of 225 Indian pupils at Indian school, Pipestone, Minn., and for pay of superintendent, \$39,175; for general repairs and improvements, \$2,500; in all, \$41,675."

Mr. BURKE of South Dakota. Mr. Chairman, I desire to ask the gentleman a question. Is the amendment the same as the provision in the Indian law for the current year?

Mr. HAMMOND. Yes; precisely the same.

Mr. BURKE of South Dakota. Mr. Chairman, with the gentleman's permission I desire to state that the school at Pipestone will probably be discontinued in a very short time. There is now a proposition to determine the status of land where the Pipestone school is located. The Yankton Indians claim to own this land, which consists of pipestone quarries and is of considerable value. It has been suggested that the school might be turned over to the State of Minnesota, and the State of Minnesota would be willing and glad to accept it, and thereby we could get rid of the expense of maintaining the school. The committee, in eliminating it at this time, understood that the question of title would be determined within the present fiscal year, and probably in the next session of Congress there might be action taken to turn it over to the State, and it appeared to the committee that it really was not essential and necessary to provide for it this year, and so we left it out.

I make that statement because there seems to have been some misunderstanding about it. My colleague on the committee, the gentleman from Minnesota [Mr. MILLER], I think understood, when the matter was under consideration, that it was left out with the understanding that it was agreeable not only to the Indian Office, but also to those from Minnesota who were concerned about that school.

Mr. HAMMOND. Mr. Chairman, it is true that the school will be discontinued in the near future, but it is entirely improbable that the legislature of the State of Minnesota will make any appropriations necessary for its maintenance as another kind of institution until the question of the title is settled, and it seems to us—and I think it is the unanimous opinion of the Members from the State—that it would be unwise to close the school until the matter of title is settled, until we know that something else can be done with it. It is doing good work now, has a large attendance of pupils, and there is no doubt that the money is well expended. It is probable that if the work were done upon the reservation it would be done as well, and just as soon as the title can be perfected and steps taken to turn the school to some other use, I think there will be no objection on the part of the Minnesota Representatives. It is in my district and I shall have no objections to its discontinuance, but until that time comes I hope that the appropriation will be continued so that the work may be carried on and that school not abandoned.

Mr. MILLER of Minnesota. Mr. Chairman, I simply desire to say that when this item was reached by the committee it was my understanding that the time was at hand when it would be proper to discontinue this school. It was for that reason only that we did discontinue it. We understand, all of us, that it is to be discontinued when it can be done properly, so that the title will not be lost. However, I have since learned that very likely we were mistaken in that supposition, and I therefore make this statement for such purpose as it may serve.

Mr. MANN. Mr. Chairman, I would like to inquire whether the gentleman from Minnesota [Mr. HAMMOND] accepts the apology of the gentleman from South Dakota [Mr. BURKE] and the gentleman from Minnesota [Mr. MILLER].

Mr. BUTLER. Do we understand the gentleman from Minnesota [Mr. MILLER] to support the amendment of his colleague?

Mr. MILLER of Minnesota. Mr. Chairman, I would prefer that the gentleman put that construction on my language which my language would justify.

Mr. BUTLER. Up to this time I have always understood the gentleman, but I am now somewhat confused.

Mr. FITZGERALD. Did I understand—

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota.

Mr. FITZGERALD. But, Mr. Chairman, I have taken the floor.

The CHAIRMAN. Does the gentleman from New York desire to be recognized?

Mr. FITZGERALD. Yes. I wish to understand whether the gentleman from Minnesota [Mr. MILLER] withdraws some remarks he made early in the day about selfishness and local greed and the ignoring of economic principles and the desire to promote the interests of the locality, because this happens to be located in Minnesota.

Mr. MILLER of Minnesota. No; I will inform the gentleman for once that I withdraw nothing, and I will stand pat.

Mr. FITZGERALD. That seems, Mr. Chairman, to be the consistent habit of Republicans when found in the wrong and "caught with the goods," in the vernacular of the day, to decline to admit their error, but to take refuge in an expression peculiar, I understand, to a place other than a legislative chamber. I am very glad the opportunity has arisen so quickly to enable the House to see how sincere the gentleman from Minnesota was in his profession of his anxiety and desire to promote economy in the public service, efficiency in the public service, to strangle and throttle the selfish greed of Representatives from particular districts when the attempt is made to withdraw an appropriation for some particular service in that district, and to display himself as the same human clay that he attributed to other Members, and to exhibit, like some other gentlemen, that peculiar shift of front when the iron seems to be getting hot near the end at which he seems to be holding. I understand, of course, that this situation has developed unexpectedly.

The gentleman from Minnesota was decidedly unfair in the remarks which he made to-day. He can search the records of last year, and on every other occasion when the question of discontinuing Indian warehouses was raised, and he will not find I have shifted my attitude in this matter. He will not discover that I had to utilize any ingenuity to find a new excuse or defense. I stated last year exactly what I stated this year about the purpose of the warehouses, and my understanding of their necessity. I was absolutely indifferent as to whether a warehouse is maintained in New York.

The gentleman does not seem to be so indifferent as to whether this school in Minnesota should be maintained. Of course he knows these pupils can be just as well or better taken care of, and at a saving to the Government, in some other school; but lest perhaps the money might not be expended in Minnesota he withdraws some statements quietly, unobtrusively, in an attempt not to emphasize his rapid and peculiar shift on economizing, and is perfectly content to permit this appropriation to be made so that Minnesota may not suffer. I congratulate the gentleman upon this opportunity to display his consistent attitude and his persistent endeavor to promote the welfare of the American people and advance the public service. He strangles selfish greed and local selfishness in an effort to economize and to save money to the Government. Let me call attention to what will result from his efforts. While he was effective in helping to save \$30,000 in an appropriation for the maintenance of warehouses—rent and incidentals—he is anxious to utilize the \$30,000 saved at that point together with \$11,000 additional in order to prevent the discontinuance of a school in Minnesota; and that means not a saving of \$30,000, but an expenditure of \$41,000, and the net gain is an expenditure of \$11,000. I sincerely hope that the results of the gentleman's efforts in the future to economize will not mean an additional expenditure at some place else for the benefit of the State of Minnesota.

Mr. BURKE of South Dakota. Mr. Chairman, the gentleman is laboring under a misapprehension—

Mr. FITZGERALD. Oh, no; the gentleman is not laboring under a misapprehension; it is the gentleman from South Dakota, who thinks I was referring to him when I was referring to the gentleman from Minnesota [Mr. MILLER]. [Laughter.]

Mr. BURKE of South Dakota. I was about to answer the suggestion of the gentleman that the maintenance of this school meant an expenditure of \$41,000 that otherwise would be saved if we discontinued the school. I wish to say to the gentleman that the 225 children who are now at that school will be educated at some other school at an expense to the Government if this school is discontinued; consequently the matter of the saving for maintenance will not be as the gentleman has suggested.

Mr. FITZGERALD. But if this appropriation should be made, no other appropriation would be decreased; so we will have the same work done as if this school is not discontinued.

Mr. BURKE of South Dakota. As I stated when this matter was brought up, it is generally admitted that this school ought to be discontinued at a very early date, and there was some discussion in the last session of Congress with a view to disposing of it. Furthermore, there is a gentleman who is a Member of another body, occupying a very prominent position in con-

nection with Indian legislation, with whom I have had some conferences relative to this matter. I had understood that with the legislation last year looking to the question of the settlement of the title and the fact that there is an appropriation now available to continue the school until the 30th of June, 1911, the matter of disposing of it might be determined at this time. The committee think that we could discontinue it without serious injury to the education of the Indians of the country, and therefore simply made a provision for its maintenance, and we believe that we were justified in that action. Of course, if this committee see fit to continue it for another year, the committee, under the circumstances, will not feel injured or in any way affected by that action. We simply state the facts as they exist. I believe it is only a matter of a very short time when this school is going out of existence.

Mr. BUTLER. Let me ask the gentleman a question.

Mr. BURKE of South Dakota. Certainly.

Mr. BUTLER. The gentleman is still chairman of the Committee on Indian Affairs, is he not? Up to this time he has advised us what we should do. Now, what is his advice here? Shall we continue this school or shall we not continue it? He is well informed on the subject.

Mr. BURKE of South Dakota. Personally, Mr. Chairman, I think—

Mr. BUTLER. I know it is a hard question to answer.

Mr. BURKE of South Dakota (continuing). We might discontinue the school in the next year; that is, with the appropriation we now have to continue it until July 1.

Mr. BUTLER. The gentleman will not vote for the amendment?

Mr. BURKE of South Dakota. I thought I had indicated that I would not support the amendment.

Mr. BUTLER. Let me ask the gentleman before he takes his seat how soon it can be ascertained whether or not this title can be made good?

Mr. BURKE of South Dakota. That is a question I can not answer, because I do not know what has transpired under the authorization that directed the Secretary to employ an attorney to determine the question of title. I had hoped it might be before the next school year. Of course I am unable to say.

Mr. BUTLER. If it should be, and this appropriation should be made, would the school be continued then for a year until this appropriation is used? What is the gentleman's opinion?

Mr. BURKE of South Dakota. I did not catch that last question.

Mr. BUTLER. Suppose the question of title should be considered and disposed of before the beginning of the next school year, would the school continue if this appropriation should be made?

Mr. BURKE of South Dakota. Certainly it would.

Mr. BUTLER. Then there is no reason why we should not make this appropriation?

Mr. BURKE of South Dakota. There could be no disposition of it without legislation.

Mr. STEPHENS of Texas. Is it not a fact that the Commissioner of Indian Affairs has stated that this school could be dispensed with?

Mr. BURKE of South Dakota. Certainly.

Mr. STEPHENS of Texas. And that is the reason it was left out of the bill?

Mr. BURKE of South Dakota. Certainly.

Mr. STEPHENS of Texas. What new light has come to the gentleman to cause him to ask that it be reinstated?

Mr. BURKE of South Dakota. I will state to the gentleman from Texas that it is actual results that I am desirous of securing. I thought, possibly, if we could have an understanding about the discontinuance of this school that we would get rid of it in the near future. But in view of existing conditions we may leave it out here, and if it does not meet with the approval of others in another place, it will probably be in the bill when it becomes a law. The gentleman is aware of that fact, and that was what I had in mind in suggesting that I thought perhaps we could really get rid of it sooner in some amicable way by which we could have an understanding than to try and force it.

Mr. MANN. Mr. Chairman, a moment ago the gentleman from New York made an observation concerning the gentleman from Minnesota, and charged him with being inconsistent, in that he was opposing an amendment increasing an appropriation, and now was apparently favoring an amendment increasing the appropriation. It may be that side of the House can charge this side of the House with inconsistency, in that we do not favor all amendments increasing appropriations; but we are not able to charge that side of the House with such inconsistency, because both of these amendments come from that side

of the House. The last one was supported by 33 or 34 Members on that side of the House, and 11 voted against it. The appropriation as presented in the bill carries some \$14,000 more than the estimate. That side of the House, in the spirit of economy, has already voted for an amendment which would necessarily have increased the appropriation \$30,000, and now proposes to vote for another amendment, practically increasing the appropriation \$41,000. I dare say that even my friend from New York may retain his consistency by voting for both propositions, although that is not certain, because he is often inconsistent, like this side of the House, that does not favor increasing appropriations, while that side invariably supports every proposition for increasing the appropriations, and meanwhile, between votes, talks economy. [Laughter.]

Mr. COX of Indiana and Mr. SHERLEY. Oh, no!

Mr. MANN. That does not apply to my friend from Kentucky nor my friend from Indiana. [Laughter.]

Mr. FITZGERALD. Mr. Chairman, the gentleman from Illinois now feels happy, and as he has got that out of his system, we can proceed. [Laughter.]

Mr. MANN. I might have made that remark a few moments ago with much more consistency, but refrained. [Renewed laughter.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota.

Mr. HAMMOND. I make the point of order, Mr. Chairman, that this amendment was presented to the House, voted upon, and was carried.

The CHAIRMAN. The present occupant of the chair was not in the chair when the question was put on the amendment, but was informed that the question was upon the amendment, and is sustained in that by the officials at the desk. The amendment has not been voted upon. The question is on the amendment offered by the gentleman from Minnesota.

The question was taken, and the Chairman announced that the ayes seemed to have it.

Mr. BURKE of South Dakota. I ask for a division, Mr. Chairman.

The committee divided; and there were—ayes 13, noes 41.

So the amendment was rejected.

The Clerk read as follows:

The Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States, at his discretion, the sum of \$165,000, or so much thereof as may be necessary, of the principal sum on deposit to the credit of the Chippewa Indians in the State of Minnesota, arising under section 7 of the act of January 14, 1889, entitled "An act for the relief and civilization of the Chippewa Indians in the State of Minnesota," and to use the same for the purpose of promoting civilization and self-support among the said Indians in manner and for purposes provided for in said act.

Mr. MANN. I reserve the point of order upon the paragraph.

Mr. BURKE of South Dakota. Mr. Chairman, this simply authorizes the Secretary of the Interior to expend \$165,000 of the money belonging to these Indians now in the Treasury. Under section 7 of the act of January 14, 1889, it is provided that from the sale of timber there shall be created a fund to be applied to the credit of the Indians of \$3,000,000. The United States should be reimbursable from the proceeds thereunder accruing for expenditures for the education and support of these Chippewa Indians.

Nearly \$7,000,000 is now in the Treasury to the credit of these Indians. It is therefore time to make no further appropriation. So, Mr. Chairman, we simply authorize the expenditure of \$165,000 of this fund, instead of making the direct appropriation.

Mr. MANN. If I remember correctly, these Indians get interest on this fund now in the Treasury—5 per cent, is it not?

Mr. BURKE of South Dakota. Yes; but I would say to the gentleman—

Mr. MANN. And we sometimes advance the interest to them before it becomes due. Now we propose to go further than that and give them the principal.

Mr. BURKE of South Dakota. Why, certainly.

Mr. MANN. For their ordinary support.

Mr. BURKE of South Dakota. But we appropriated a year ago \$90,000 for these Indians, known as advance interest, and this provision is that these moneys shall be taken from their own fund, which is now upward of \$7,000,000, and not make an appropriation of our money and leave theirs in the Treasury, and some time in the future reimburse the Government for the expenditure.

We directed the Treasury to reimburse the fund out of their money to the extent properly chargeable to them, and in the future, instead of making an appropriation, we simply authorize the expenditure of their own money.

Mr. MANN. Does this \$7,000,000 that is in the Treasury draw interest?

Mr. BURKE of South Dakota. My understanding of the matter is that originally, when the fund reached \$3,000,000, it was to draw interest at 3 per cent, and we were to pay that.

Mr. MANN. Three per cent?

Mr. BURKE of South Dakota. It must have been 3 per cent, because we were to pay them \$90,000 a year. Now, we began paying that \$90,000 a year before they had any money. In other words, it was known as advance interest, and then it was provided that after the fund reached \$3,000,000 we should be reimbursed for the amounts paid. Now the fund, instead of being \$3,000,000, has got to be \$7,000,000, and up to last year we were still advancing interest to the amount of \$90,000 a year.

Mr. MANN. That is what I want to get at.

Mr. BURKE of South Dakota. Now we are going to cease advancing interest, and we are simply going to pay them from their own money.

Mr. MANN. Do we pay them the interest?

Mr. BURKE of South Dakota. Yes; and the advances that have been made are to be reimbursed. When we get a statement from the Secretary of the Treasury, I expect to find that the Treasury has been reimbursed for moneys that we have been advancing to these Indians on what is known as this advance-interest account. Now, it may be that the 3 per cent continues, and if it does it will be credited to the account.

Mr. MANN. Of course it continues, as far as that is concerned.

Mr. BURKE of South Dakota. Then it will be credited to the account.

Mr. MANN. But I had the impression that where we were making this appropriation for advance interest we were simply paying it at the beginning of the year instead of the end of the year.

Mr. BURKE of South Dakota. No; we began advancing money to these Indians before they had any moneys to their credit. It was provided that after the fund reached \$3,000,000, then we should make no further appropriations for them, but we went right on making it, and now it is going to be reimbursed.

Mr. MANN. Now we are paying them a part of the principal, but there is no appropriation here for the interest. Does the law provide for the payment to these Indians of interest on this fund?

Mr. BURKE of South Dakota. I was laboring under the impression that it did not; that we simply paid them 3 per cent under the conditions that I stated, and that when the fund reached \$3,000,000 the payment ceased.

Mr. MANN. I do not think any money has been paid into the Treasury for the Indians unless it draws interest, and most of it at 4 or 5 per cent.

Mr. BURKE of South Dakota. Not all of it. Of late years it has been 3 per cent.

Mr. MANN. I withdraw the point of order.

The Clerk read as follows:

For the construction of irrigation systems to irrigate the allotted lands of the Indians of the Flathead Reservation, in Montana, and the unallotted irrigable lands to be disposed of under authority of law, including the necessary surveys, plans, and estimates, \$300,000.

Mr. BUTLER. I move to strike out the last word. Is this the beginning of another irrigation project?

Mr. BURKE of South Dakota. No; not the beginning. It is a continuation.

Mr. BUTLER. How much money has been spent on this irrigation project? I understood the gentleman to say in answer to my question that there were no new projects in this bill.

Mr. BURKE of South Dakota. That is true.

Mr. MANN. The appropriation for last year was \$250,000.

Mr. BURKE of South Dakota. Last year there was an appropriation of \$250,000 for this project, and \$300,000 is asked for this year. This is a project that is being constructed in connection with the Reclamation Service. The Reclamation Service wanted \$900,000 for this project. When completed the project will irrigate 150,000 acres and furnish water to 2,265 Indians, covering 1,875 allotments. The construction cost to June 30, 1910, was \$295,283.95, making it possible to irrigate approximately 10,000 acres during the summer of 1910. This reservation has been opened, and the quicker the land is irrigated the sooner the money will be reimbursed.

I will say to the gentleman that this is a project that will be absolutely paid for by the reimbursement from the sale of lands. There is quite a large fund in the Treasury already from the sale of surplus lands, and it will not cost the Federal Government one dollar when completed.

Mr. BUTLER. Then there is nothing in this to be frightened about.

Mr. BURKE of South Dakota. No, sir; there is not.

Mr. BUTLER. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

NEBRASKA.

SEC. 10. For support and education of 300 Indian pupils at the Indian school at Genoa, Nebr., and for pay of superintendent, \$52,100; for two new dormitories, \$35,000; for general repairs and improvements, \$3,000; in all, \$90,100.

Mr. MANN. Mr. Chairman, I reserve a point of order on that paragraph providing for two new dormitories. Is not this one of the schools they were talking about abandoning?

Mr. BURKE of South Dakota. I think not. This is one of the substantial schools and is doing good work. The committee had information that the buildings were in such a condition that it would not be good business administration to try to repair them.

Mr. MANN. It might be good business administration, however, to abandon the school.

Mr. BURKE of South Dakota. I think not. I do not think the committee is willing to abandon it.

Mr. MANN. I presume that the committee would not be willing as long as the State of Nebraska is represented by so able and efficient a Member as the gentleman from Nebraska now before me.

Mr. HINSHAW. Mr. Chairman, I want to say that this school is not in my district. It is in the district of my colleague [Mr. LATTA], who has visited this school. While at one time there was an attempt made to discontinue the school, yet upon investigation it became apparent that it was one of the best schools in the whole country. The pupils number more than 300, and they do most excellent work. The question arose whether the school should be abandoned and—

Mr. MANN. Where do the pupils come from?

Mr. HINSHAW. They come from Nebraska, South Dakota, and all around.

Mr. MANN. Well, then, you could get 5,000 if you supported them.

Mr. HINSHAW. These Indian schools are fed from the surrounding country. In the school at Carlisle the pupils are brought from Oklahoma, Nebraska, and all over the States. The school in Nebraska is fairly contiguous to the reservation of South Dakota, but the most of the pupils come from Nebraska.

Mr. MANN. As I remember, it was proposed to abandon the school a few years ago.

Mr. BURKE of South Dakota. I think, Mr. Chairman, at one time when the office of the Commissioner of Indian Affairs was held by a person other than the present incumbent, he was disposed to get rid of every school that was not located on an Indian reservation.

Mr. MANN. That was hardly the case; but there was talk of abandoning this school. I remember the report and the discussion on the subject very well. Now, I want to ask the gentleman if there is any good reason for not only maintaining the school, but spending a large sum of money to make it permanent?

Mr. BURKE of South Dakota. I think so.

Mr. MANN. What are the reasons?

Mr. LATTA. Mr. Chairman, let me make an explanation. I visited this school, which is in my district, and it is one of the best conducted Indian schools in the United States.

Mr. MANN. Has the gentleman visited the other schools in order to make a comparison?

Mr. LATTA. No; I will be honest with the gentleman; I have not. They have 320 acres of land under cultivation that the Indian scholars work. They have a dairy that is sufficient to furnish the school with milk and butter; they raise their own hay, their own grain, and feed sufficient to fatten the hogs that they make their pork from. This old building which the two new ones is to replace is old—built about 40 years ago—is unsanitary and nearly ready to fall down. The gentleman from Illinois would not have a child of his go to that school—

Mr. MANN. If I would I could not, so what difference does it make?

Mr. LATTA. The gentleman might.

Mr. MANN. I am a good deal of an Indian, but not quite enough for that.

Mr. LATTA. It is absolutely necessary to do something to replace this old dormitory with two new ones. The object of having two dormitories is to separate the large boys from the small boys.

Mr. MANN. Mr. Chairman, I will withdraw the point of order.

The Clerk read as follows:

The Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States, at his discretion, the sum of \$25,000, or so much thereof as may be necessary, of the funds on deposit to the credit of the Kiowa, Comanche, and Apache tribes of Indians in Oklahoma, for the support of the agency and pay of employees maintained for their benefit.

Mr. MANN. Mr. Chairman, I move to strike out the last word. What is this for?

Mr. BURKE of South Dakota. Last year we authorized that there be withdrawn \$250,000 to be expended for their benefit. This money belongs to the Indians. It is their own funds, and instead of making the appropriation, as was done at one time, we are simply using the money of the Indians for their support. Last year we found an estimate of \$25,000 for the Kiowa tribe of Indians, and we found they had in the Treasury several millions of dollars, so we concluded that those Indians ought not any longer to be supported at the expense of the Federal Government, and so provided that the money that was expended during this fiscal year should be withdrawn from the Treasury by the Secretary and expended just as we propose to do with this \$25,000.

Mr. MANN. The item last year and the item this year, while they look alike, have no relation to each other.

Mr. BURKE of South Dakota. I know the difference; yes. This is an item to maintain the agency organization.

Mr. MANN. The gentleman explains for some time without explaining what this item was, and I wanted to get at the policy of the committee. It looks like a very desirable thing to do. Last year it was \$250,000 taken out for support.

Mr. BURKE of South Dakota. That is right.

Mr. MANN. From this, I take it, the Indians will pay for the agency.

Mr. BURKE of South Dakota. Yes; and it may be done without violating any treaty obligation.

Mr. MANN. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

For support of Quapaws, Oklahoma: For education (article 3, treaty of May 13, 1833), \$1,000; for blacksmith and assistants, and tools, iron and steel for blacksmith shop (same article and treaty), \$500; in all, \$1,500: *Provided*, That the President of the United States shall certify the same to be for the best interests of the Indians.

Mr. MANN. Mr. Chairman, I move to strike out the last word. Of course it may be that it is necessary to impose this duty upon the President of the United States under this treaty, but it seems rather unnecessary to set it out here if it is in the treaty. If it is not in the treaty, it seems unnecessary to require the President of the United States to certify to the necessity for a blacksmith out in Oklahoma.

Mr. BURKE of South Dakota. I think this is strictly in accordance with the treaty, and I will say to the gentleman that last year we compared every one of these treaty provisions, in order that we could eliminate any that ought not to be carried, and we changed the phraseology in some of them to comply with the treaties.

Mr. MANN. I know the gentleman vastly improved the verbiage of the bill in that respect and at least in many other respects.

Mr. STEPHENS of Texas. This language is from the last bill.

Mr. MANN. I understand that.

Mr. BURKE of South Dakota. I understand that this can ultimately be dispensed with and not violate the treaty, but that can not be done at the present time.

Mr. BUTLER. Has the President got to certify to the necessity for a blacksmith?

Mr. BURKE of South Dakota. All these items in the treaties are commuted and the money used for some other purpose.

Mr. MANN. But how could they commute it? The President must certify that it is for the best interests of the Indian Bureau to have this blacksmith and an assistant and tools and a blacksmith shop, for \$500, and that probably means that it costs more than that to get the certification.

Mr. BURKE of South Dakota. We are fulfilling treaties with the Six Nations in New York, for permanent annuity and clothing, and all of those things have been commuted.

Mr. MANN. Those can be commuted, but in this the President must certify that it is for the best interest of the Indians to have these things. You carried for many years a provision for a blacksmith shop in the city of Chicago for the benefit of the Indians, and the only Indians we have there are Cary's Indians, down at the stock yards. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

For salaries and expenses of district agents for the Five Civilized Tribes in Oklahoma and other employees connected with the work of such agents, \$100,000.

Mr. MORGAN of Oklahoma. Mr. Chairman, I move to strike out the last word. I would like to call the attention of the chairman of the committee to the act approved March 3, 1909, on page 27, of the law as I have it.

Mr. BURKE of South Dakota. What act is that?

Mr. MORGAN of Oklahoma. The Indian appropriation act.

Mr. BURKE of South Dakota. I have not a copy of it. Go ahead.

Mr. MORGAN of Oklahoma. That act authorizes the appointment, first, of district agents within the Five Civilized Tribes, and then contains a proviso as follows:

Provided, That the Secretary of the Interior is hereby authorized to employ of such district agents such number, not exceeding five, as he deems proper, to perform like duties to those now performed by them among the Five Civilized Tribes of Oklahoma in other portions of that State.

In other words, the Secretary of the Interior was authorized under that act to employ not to exceed five of those district agents to do work among the Indians in Oklahoma outside of the Five Civilized Tribes. Under that clause he appointed three district agents. I find under the Indian appropriation act approved April 4, 1910, that this proviso was omitted. As a result the Secretary of the Interior has discontinued the employment of those three men. I would like to know if this proviso was omitted by oversight or intentionally.

Mr. BURKE of South Dakota. Yes; that was done intentionally. There did not seem to be a necessity for continuing the three. There was necessity for strengthening the force among the Five Civilized Tribes. I am inclined to think that some additional district agents might not be ill advised if we had provided for them.

Mr. STEPHENS of Texas. What tribes does that apply to—the Kiowa, Comanche and Apaches and Cheyenne and Arapahoes?

Mr. MORGAN of Oklahoma. And Osages, Otoes, and Missouris, Sac and Fox, and Potawatomis.

Mr. STEPHENS of Texas. The Osages have an agency of their own, have they not?

Mr. CARTER. Mr. Chairman, the Indians in Oklahoma have agencies similar to other agencies, but with the Five Civilized Tribes those in charge have somewhat different official denomination. We have there what is called a Commissioner to the Five Civilized Tribes and superintendent of Union Agency. In addition to these we have these district agents, whose duties are more in the order of field work. Their business is to actually go out in the field, supervise and look after Indians whose allotments are restricted, to conduct sales of surplus allotments of the members of the Five Civilized Tribes, to supervise the funds and investment of same, and to assist the county courts in the settlement of probate matters. In fact, to do all things that are necessary for the protection, care, civilization, and support of the restricted Indians. Their jurisdiction is divided into districts composed of two or more counties, as I remember, and their work is, of course, done under the general supervision of the Union Agency. These officials were authorized by the act of May 27, 1908, which the gentleman from Texas [Mr. STEPHENS]—whom I see is about to interrupt me—will probably remember as the restriction law. I do not know what kind of work they did in the western part of our State, represented by my colleague [Mr. MORGAN], but they have, I think, rendered some valuable service in my district.

Mr. MANN. Why do they need more money, then, for it?

Mr. CARTER. They probably need more agencies. I am informed that the force was not quite large enough to begin with.

Mr. MANN. I should think our expenses in that connection ought to be decreased instead of increased. Oklahoma is a State and is governing herself. Why should we have an increase of appropriation considerably this year over last year or the current year?

Mr. CARTER. I will state to the gentleman from Illinois that the Indians in my part of the State—that is, the Choctaw and Chickasaw—have a considerable amount of property that has been allotted to them, 320 acres of land per capita—160 acres of homestead and 160 acres known as the surplus allotment. We have a great many restricted Indians in Oklahoma, and their large property interests bring a good deal of work on the district agencies which, I think, is probably unnecessary in other parts of the country and which has increased as the work has developed.

Mr. MANN. And we paid for it, although it is for their benefit and although they have plenty of land.

Mr. CARTER. Yes, sir. Just as you do with other Indians. Mr. MANN. We do not do it with other Indians.

Mr. CARTER. Oh, you do somewhat similar work with Indians in other parts of the country.

Mr. BURKE of South Dakota. Will the gentleman permit me to interrupt him there?

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. I ask unanimous consent that the gentleman from Oklahoma [Mr. MORGAN] may have his time extended five minutes.

Mr. STEPHENS of Texas. Which one?

Mr. MANN. Mr. MORGAN had the floor.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. BURKE of South Dakota. May I interrupt the gentleman?

Mr. MORGAN of Oklahoma. Certainly.

Mr. BURKE of South Dakota. I will state that under our treaty obligations with the Five Civilized Tribes we are obligated to administer their affairs until such time as they are closed up.

There was no provision by which the expense of administration was to be paid by the Indians. I want to say that, having made some observations during the recent summer among the Five Civilized Tribes, I became very strongly impressed with the idea that there was no part of the present organization that was doing the real work of protecting the Indians, as well as aiding them in becoming self-supporting, like these district agents, and we discussed the appropriation before the commissioner and the union agent, the organization that has charge of all the affairs of the civilized tribes, \$25,000, and we made the appropriation for the district agent \$10,000, and in addition to what has been suggested by the gentleman from Oklahoma [Mr. CARTER] we find that these district agents now are doing very excellent work in protecting minor children and, in some instances, orphan children, that have allotments and are interested in estates where, I regret to say, in some instances there has been conduct that I do not think any gentleman from Oklahoma will attempt to defend. Some time later I expect to submit a few observations upon those conditions that exist among some of these Indians of the Five Civilized Tribes. I believe we ought to strengthen this force known as "district agents," and gradually decrease the appropriation for the administration officers at Muskogee. It is only a matter of time, of course, when the Government will withdraw entirely all of its force among the Five Civilized Tribes, but until such time as it does it is the Government's duty, I think, to protect these Indians, and particularly minor children and orphans.

Mr. MORGAN of Oklahoma. Mr. Chairman, I withdraw the pro forma amendment and offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Oklahoma offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend by adding at the end of line 6, on page 20, the following:

Provided, The Secretary of the Interior is hereby authorized to employ of such district agents such number, not exceeding five, as he deems proper to perform like duties as those now performed by them among the Five Civilized Tribes in Oklahoma in other portions of that State.

Mr. MANN. I reserve a point of order on the amendment.

Mr. MORGAN of Oklahoma. Mr. Chairman, I will state that the amendment I offered is in the exact language as originally provided for the employment of not to exceed five district agents in the west half of the State, or in that portion of the State not included in the Five Civilized Tribes. Now, I think there is something like 3,000 Indians in the Kiowas and Comanches, and something like that number in the Cheyennes and Arapahoes, and I think something like 14,000 Indians in Oklahoma not included in the Five Civilized Tribes. I do not see why these agents are needed in the Five Civilized Tribes and not needed in that portion of Oklahoma not included in the Five Civilized Tribes. My information is that these three agents were doing excellent work. They had plenty to do, and were giving excellent service to the Indians.

Mr. STEPHENS of Texas. Will the gentleman yield? Can you inform the House why they were discontinued by the department?

Mr. MORGAN of Oklahoma. I can not. I will state that some time after Congress adjourned last summer I learned that the three men who had been employed were notified by telegraph that their services were discontinued on account of the fact that there had been no appropriation.

Mr. STEPHENS of Texas. Can you inform the House what the necessity is for continuing these men?

Mr. MORGAN of Oklahoma. I understand that practically the same necessity would exist in the western half of Oklahoma that there would in the eastern half. It is true that in the west half of the State we have superintendents at the agencies, but each superintendent has so much to do that it is impossible for him to attend to the class of work done by the district agents. For instance, take the Kiowa and Comanche Agency. This reservation originally included nearly 3,000,000 acres of land. The Indians are scattered over that original reservation. The agent or superintendent has manifold duties to perform; he can not go out to investigate lands and their condition. He can go to the records of the various counties and learn the condition of estates. He must remain the most of his time at the agency. There is a large amount of this kind of work to do.

Mr. STEPHENS of Texas. Will you yield for another question?

Mr. MORGAN of Oklahoma. Certainly.

Mr. STEPHENS of Texas. Have you asked the Secretary of the Interior or the Commissioner of Indian Affairs whether or not it is necessary to have these district agents there?

Mr. MORGAN of Oklahoma. I will state that when these three men were originally employed I talked it over with the Secretary of the Interior and also with the commissioner. They deemed their services necessary and desirable, and made three appointments, limiting the number to three, largely, as I understood, on account of the lack of funds.

A few days ago I talked with the Commissioner of the General Land Office, and as I understood him, their services were discontinued solely because this paragraph was left out. He told me that he would be glad to have their services, but he did not want to take the fund away from the amount appropriated for the Five Civilized Tribes.

Mr. STEPHENS of Texas. Will the gentleman inform the House why in making up the estimates for this bill they did not put in the same estimates that you have made and included by your amendment?

Mr. MORGAN of Oklahoma. I will state to the gentleman that at the last session I supposed this appropriation would be made as a matter of course and had no intimation that it had been omitted until sometime after the adjournment of Congress.

Mr. STEPHENS of Texas. Are you aware of the fact that the committee did not have any data at all relative to this matter? There were no data for these district agents before the committee, and the department has not asked for them.

Mr. MORGAN of Oklahoma. I think this was an oversight on the part of the department.

Mr. STEPHENS of Texas. Have you any letter from the department to that effect?

Mr. MORGAN of Oklahoma. No, sir.

Mr. STEPHENS of Texas. Have you any information as to whether the department desires to have them or not?

Mr. MORGAN of Oklahoma. I had a talk with the commissioner, and as I understood him the sole cause of discontinuing these three agents was because of the fact that this paragraph was left out of the bill. The commissioner felt that he was not authorized to employ district agents other than for the Five Civilized Tribes under the language of the Indian appropriation act of last session of Congress.

Mr. STEPHENS of Texas. How can it be an oversight in making up this bill that it was left out?

Mr. MORGAN of Oklahoma. I presume it was. It was left out last spring. I think that is the reason. I would like to see the Indians in my district, in the western half of the State, treated in the same way that you do the Indians in the eastern half. I see no reason why you should take better care of the Indians of the Five Civilized Tribes than you do of the other Indians in Oklahoma. If the officer is good for the one, it is certainly good for the other, and I hope you will adopt this amendment.

Mr. BURKE of South Dakota. Mr. Chairman, there does not seem to be any reason for this amendment. These agents were left out last year, the department stating to the committee that they were not necessary. No estimate was made for them. The question was not brought to the attention of the committee. There does not seem to be any need for them; and I hope the amendment will not prevail. I ask for a vote.

Mr. MANN. I have a point of order pending. I do not believe anybody has given any authority of law for these agents.

Mr. MORGAN of Oklahoma. I did not hear the gentleman.

Mr. MANN. I say that nobody has given any authority of law for the appointment of these agents as yet. I reserved the point of order on the amendment. If the gentleman has any authority of law for the appointment, now is an opportune time to furnish it.

The CHAIRMAN. Does the gentleman from Illinois make the point of order?

Mr. MANN. I do make the point of order.

The CHAIRMAN. The Chair will hear the gentleman from Oklahoma on the point of order.

Mr. MORGAN of Oklahoma. Mr. Chairman, I would say the act of March 3, 1909, recites the fact that the act of May 27, 1908 (35 Stat. L., p. 312), provides for the appointment of local representatives for Indians by the Secretary of the Interior. It is so recognized, and the authority seems to go back to the act of March 27, 1908, authorizing local representatives, and these district agents are simply a continuation of the local representatives.

The CHAIRMAN. If that act is in force, the Chair will ask the gentleman from Oklahoma why would it be necessary to have the legislation proposed by his amendment? Why would not the simple course be to make an appropriation for these Indians?

Mr. MORGAN of Oklahoma. I will state to the Chair that I have not read that act, and am not very positive that it does authorize the appointing of local representatives at any place except in the Five Civilized Tribes; but as far as I know, it covers local representatives in other places.

The CHAIRMAN. Does the gentleman propose the reenactment of a portion of the act to which he has referred? Is the gentleman's amendment taken verbatim from the act to which he refers?

Mr. MORGAN of Oklahoma. Yes; verbatim.

The CHAIRMAN. Then if it is the law now, it would not be new legislation and the amendment would be in order. The Chair would like to ask the gentleman from South Dakota [Mr. BURKE] whether the proposed amendment would apply to a different context from the words of the act of 1909.

Mr. BURKE of South Dakota. Mr. Chairman, the gentleman from South Dakota did not make the point of order. The gentleman from Illinois [Mr. MANN] made the point of order.

The CHAIRMAN. The Chair is asking the gentleman from South Dakota for information.

Mr. BURKE of South Dakota. Mr. Chairman, in order that the Chair may have full opportunity to examine into this matter, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. McCALL, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 28406—the Indian appropriation bill—and had come to no resolution thereon.

ADJOURNMENT.

Mr. BURKE of South Dakota. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 4 o'clock and 57 minutes p. m.) the House adjourned to meet to-morrow, Friday, December 9, 1910, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting report of the state of the finances for the fiscal year ended June 30, 1910 (H. Doc. No. 1001); to the Committee on Ways and Means and ordered to be printed.

2. A letter from the Librarian of Congress, transmitting his annual report, and the annual report of the superintendent of the Library Building and grounds (H. Doc. No. 1033); to the Committee on the Library and ordered to be printed.

3. A letter from the Librarian of Congress, transmitting a statement of travel of officers and employees of the Library during the fiscal year ended June 30, 1910 (S. Doc. No. 696); to the Committee on the Library and ordered to be printed.

4. A letter from the secretary of Arizona, transmitting a memorial of the constitutional convention of the Territory on the subject of improvements made on school lands by lessees (S. Doc. No. 697); to the Committee on the Territories.

5. A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Secretary of War submitting a statement of moneys arising from proceeds of sales of public property during the fiscal year ended June 30, 1910, with statements of payments therefrom (H. Doc. No. 1107); to the Committee on Ways and Means and ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred sundry bills of the House, reported in lieu thereof the bill (H. R. 28434) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, accompanied by a report (No. 1743), which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred sundry bills of the House, reported in lieu thereof the bill (H. R. 28435), granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, accompanied by a report (No. 1744), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 27352) granting an increase of pension to Edward M. Keating; Committee on Invalid Pensions discharged and referred to the Committee on Pensions.

A bill (H. R. 27367) granting a pension to William H. Shands; Committee on Invalid Pensions discharged and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under Clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. STEENERSON (by request): A bill (H. R. 28436) to further increase the efficiency of the Organized Militia, and for other purposes; to the Committee on Militia.

By Mr. SMITH of Texas: A bill (H. R. 28437) to repeal the duty on lumber; to the Committee on Ways and Means.

By Mr. CLARK of Florida: A bill (H. R. 28438) to provide for the admission into the United States of all food and food products free of any import duty whatsoever; to the Committee on Ways and Means.

Also, a bill (H. R. 28439) to prohibit the receipt of money by officials of the United States in payment of special taxes from persons, firms, or corporations as dealers in spirituous, vinous, or malt liquors, except such persons, firms, or corporations exhibit to such United States officials proof that by local law such persons, firms, or corporations have been licensed to do such business; to the Committee on Ways and Means.

Also, a bill (H. R. 28440) to prescribe the terms of office of collectors of internal revenue; to the Committee on Expenditures in the Treasury Department.

By Mr. MILLER of Kansas: A bill (H. R. 28441) to prohibit selling of intoxicating beverages in the Territory of Hawaii; to the Committee on the Territories.

By Mr. LENROOT: A bill (H. R. 28442) creating the northern judicial district of Wisconsin; to the Committee on the Judiciary.

By Mr. HAMILL: Joint resolution (H. J. Res. 244) designating the 25th day of April in each and every year "America Day"; to the Committee on the Judiciary.

By Mr. AUSTIN: Joint resolution (H. J. Res. 245) for the creation of a joint commission to investigate the status of full-blood Indians; to the Committee on Indian Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 28443) granting an increase of pension to Benjamin F. Current; to the Committee on Invalid Pensions.

By Mr. AMES: A bill (H. R. 28444) granting an increase of pension to Charles H. McIntire; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28445) granting an increase of pension to Michael E. Breck; to the Committee on Pensions.

By Mr. ANDERSON: A bill (H. R. 28446) granting an increase of pension to David Warner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28447) granting an increase of pension to John Z. Macon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28448) granting an increase of pension to Francis M. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28449) granting an increase of pension to Horace B. Scoville; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28450) granting an increase of pension to Isaac Defenbaugh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28451) granting an increase of pension to Peter Boger; to the Committee on Invalid Pensions.

By Mr. ANDREWS: A bill (H. R. 28452) for the relief of John F. Wilkinson; to the Committee on Military Affairs.

By Mr. ASHBROOK: A bill (H. R. 28453) granting an increase of pension to Thomas J. Evans; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28454) granting an increase of pension to Jacob Skiles; to the Committee on Pensions.

By Mr. BARNHART: A bill (H. R. 28455) granting an increase of pension to David J. Bowman; to the Committee on Invalid Pensions.

By Mr. BOEHNE: A bill (H. R. 28456) granting a pension to Lena E. Loveless; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28457) granting an increase of pension to Lewis Thomas; to the Committee on Invalid Pensions.

By Mr. CALDERHEAD: A bill (H. R. 28458) granting an increase of pension to David Srackangast; to the Committee on Invalid Pensions.

By Mr. CAMPBELL: A bill (H. R. 28459) granting an increase of pension to Smith A. Nicholson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28460) granting an increase of pension to John Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28461) granting an increase of pension to Elmer R. Chamness; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28462) granting an increase of pension to Robert E. Comer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28463) granting an increase of pension to Jacob Penturff; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28464) granting an increase of pension to George W. Fugate; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28465) granting an increase of pension to John H. Atchison; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28466) granting an increase of pension to Samuel C. Sprouse; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28467) granting an increase of pension to Solomon Lawler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28468) for the relief of John Carr; to the Committee on Military Affairs.

Also, a bill (H. R. 28469) for the relief of Francis M. Hill; to the Committee on Military Affairs.

Also, a bill (H. R. 28470) for the relief of Thomas Todd; to the Committee on Military Affairs.

Also, a bill (H. R. 28471) for the relief of John W. Richardson; to the Committee on Military Affairs.

Also, a bill (H. R. 28472) for the relief of E. A. Brown; to the Committee on Military Affairs.

By Mr. CANTRILL: A bill (H. R. 28473) granting an increase of pension to J. B. Magruder; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28474) granting an increase of pension to Charles W. Young; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28475) granting an increase of pension to John H. Young; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28476) granting an increase of pension to Elias Shannon; to the Committee on Invalid Pensions.

By Mr. CARTER: A bill (H. R. 28477) granting an increase of pension to Tildon Graham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28478) granting an increase of pension to Andrew P. Johnson; to the Committee on Pensions.

Also, a bill (H. R. 28479) granting an increase of pension to Joseph F. Swords; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28480) granting an increase of pension to John M. Sims; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28481) granting an increase of pension to James B. Merchant; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28482) granting an increase of pension to Hiram Hudson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28483) granting an increase of pension to Shadrock B. Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28484) granting an honorable discharge to G. M. D. Cathey; to the Committee on Military Affairs.

By Mr. CLARK of Missouri: A bill (H. R. 28485) granting an increase of pension to Laura Swing Kemeys; to the Committee on Invalid Pensions.

By Mr. COLE: A bill (H. R. 28486) granting an increase of pension to Francis M. Kelly; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28487) granting an increase of pension to John P. Lonzway; to the Committee on Invalid Pensions.

By Mr. COOPER of Pennsylvania: A bill (H. R. 28488) granting an increase of pension to Samuel Artist; to the Committee on Invalid Pensions.

By Mr. CROW: A bill (H. R. 28489) granting an increase of pension to Darcus C. Burton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28490) granting an increase of pension to Samuel Spire; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28491) granting an increase of pension to John Overby; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28492) granting an increase of pension to Moses McGinnis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28493) granting an increase of pension to George H. Smythe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28494) granting a pension to Charles Baumann; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28495) granting an increase of pension to Edmond Melton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28496) granting an increase of pension to Henry Cutberth; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28497) granting a pension to Thomas Creek; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28498) granting a pension to Elizabeth A. Harris; to the Committee on Invalid Pensions.

By Mr. CRUMPACKER: A bill (H. R. 28499) granting an increase of pension to Joseph D. Sovern; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28500) granting an increase of pension to James B. Graham; to the Committee on Pensions.

Also, a bill (H. R. 28501) granting an increase of pension to John H. Tilton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28502) granting an increase of pension to Samuel Wolfe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28503) granting an increase of pension to Warren Cochran; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28504) granting an increase of pension to Whitsel Lewis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28505) granting an increase of pension to George L. Catlin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28506) granting an increase of pension to William J. Graham; to the Committee on Invalid Pensions.

By Mr. CULLOP: A bill (H. R. 28507) granting an increase of pension to Edward E. Thorn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28508) granting an increase of pension to Daniel W. Burgess; to the Committee on Invalid Pensions.

By Mr. DENVER: A bill (H. R. 28509) granting an increase of pension to Jeremiah Purdum; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28510) granting an increase of pension to Samuel A. Leaverton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28511) granting a pension to Maude A. Johnston; to the Committee on Invalid Pensions.

By Mr. FORDNEY: A bill (H. R. 28512) granting an increase of pension to James F. Hale; to the Committee on Invalid Pensions.

By Mr. FULLER: A bill (H. R. 28513) granting an increase of pension to John A. Ferguson; to the Committee on Invalid Pensions.

By Mr. GRAHAM of Illinois: A bill (H. R. 28514) granting an increase of pension to Abraham Sherfy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28515) granting an increase of pension to Abraham S. Reed; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28516) granting an increase of pension to George M. Bangs; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28517) granting an increase of pension to John W. Wandling; to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 28518) granting an increase of pension to Thomas Young; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28519) granting an increase of pension to J. D. Ginger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28520) granting a pension to Levi Taylor; to the Committee on Invalid Pensions.

By Mr. HANNA: A bill (H. R. 28521) granting an increase of pension to James Kenyon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28522) granting an increase of pension to William H. Gosset; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28523) granting an increase of pension to Peter Peterson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28524) granting an increase of pension to Frank W. Wade; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28525) granting an increase of pension to Eli Prescott; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28526) granting an increase of pension to Jacob E. Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28527) granting an increase of pension to Solomon Blackburn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28528) granting an increase of pension to John Mooney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28529) granting an increase of pension to John Egan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28530) granting an increase of pension to Gordon H. Shepard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28531) granting an increase of pension to James M. Fortner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28532) granting an increase of pension to Uriah Reuner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28533) granting an increase of pension to George P. Marshall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28534) granting an increase of pension to G. M. Banfill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28535) granting an increase of pension to William Bossingham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28536) granting an increase of pension to Lars B. Foss; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28537) granting an increase of pension to John L. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28538) granting an increase of pension to Andrew Nelson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28539) granting an increase of pension to William C. Laizure; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28540) granting an increase of pension to Clark Hewitt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28541) granting an increase of pension to Charles Henry Palmer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28542) granting an increase of pension to Louis Freeman; to the Committee on Invalid Pensions.

By Mr. HENRY of Connecticut: A bill (H. R. 28543) granting a pension to Amanda Franzen; to the Committee on Invalid Pensions.

By Mr. HUBBARD of West Virginia: A bill (H. R. 28544) granting an increase of pension to James B. Davis; to the Committee on Invalid Pensions.

By Mr. HUMPHREY of Washington: A bill (H. R. 28545) granting a pension to Levi Saylor; to the Committee on Pensions.

Also, a bill (H. R. 28546) granting a pension to Benjamin Shaffer; to the Committee on Pensions.

Also, a bill (H. R. 28547) granting an increase of pension to Jennie Holman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28548) granting an increase of pension to Almond W. Foy; to the Committee on Invalid Pensions.

By Mr. JOYCE: A bill (H. R. 28549) granting an increase of pension to Adam N. Anderson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28550) granting an increase of pension to David R. Rood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28551) granting an increase of pension to Alexander Jones Clark; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28552) granting an increase of pension to James Braden; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28553) granting a pension to Candice A. Kain; to the Committee on Invalid Pensions.

By Mr. KENDALL: A bill (H. R. 28554) granting an increase of pension to Jacob Young; to the Committee on Invalid Pensions.

By Mr. KNAPP: A bill (H. R. 28555) granting an increase of pension to Charles W. Bullard; to the Committee on Invalid Pensions.

By Mr. KOPP: A bill (H. R. 28556) granting an increase of pension to Calvin B. Flick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28557) granting an increase of pension to John Engle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28558) granting an increase of pension to Edwin Ward; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28559) granting an increase of pension to Alfred Dietrich; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28560) granting an increase of pension to James R. Hudson; to the Committee on Invalid Pensions.

By Mr. KORBLY: A bill (H. R. 28561) granting an increase of pension to John A. Blackwell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28562) granting an increase of pension to Adolph Frey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28563) granting an increase of pension to Solomon Cleet; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28564) granting an increase of pension to Samuel Tibbets; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28565) granting a pension to Marilla Barnes; to the Committee on Invalid Pensions.

By Mr. LAFEAN: A bill (H. R. 28566) granting an increase of pension to Martin C. Gross; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28567) granting an increase of pension to James A. Dawney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28568) granting a pension to Bertha Shireman; to the Committee on Invalid Pensions.

By Mr. LANGHAM: A bill (H. R. 28569) granting an increase of pension to John J. Long; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28570) granting an increase of pension to William Cathcart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28571) granting an increase of pension to David Goodman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28572) granting an increase of pension to John McClain; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28573) granting an increase of pension to Isaac Griffith; to the Committee on Invalid Pensions.

By Mr. LAWRENCE: A bill (H. R. 28574) granting an increase of pension to Sarah E. Mix; to the Committee on Invalid Pensions.

By Mr. LINDBERGH: A bill (H. R. 28575) granting an increase of pension to John P. Peterson; to the Committee on Invalid Pensions.

By Mr. LIVINGSTON: A bill (H. R. 28576) for the relief of George Killeen; to the Committee on Claims.

By Mr. LOUD: A bill (H. R. 28577) granting an increase of pension to Eleazar B. Adgate; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28578) granting an increase of pension to William Harman; to the Committee on Pensions.

By Mr. McHENRY: A bill (H. R. 28579) granting an increase of pension to Joel W. Strohecker; to the Committee on Invalid Pensions.

By Mr. McKINLEY of Illinois: A bill (H. R. 28580) granting a pension to John S. Kerans; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28581) granting an increase of pension to Williams R. Rennels; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28582) granting an increase of pension to Jesse M. Williams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28583) granting an increase of pension to Philip S. Clinard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28584) granting an increase of pension to George W. Kibler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28585) granting an increase of pension to Anderson W. Peter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28586) granting an increase of pension to Isaac Peeper; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28587) granting an increase of pension to Henry Beavers; to the Committee on Invalid Pensions.

By Mr. MANN: A bill (H. R. 28588) granting a pension to Ann Rees; to the Committee on Invalid Pensions.

By Mr. MONDELL: A bill (H. R. 28589) for the relief of Robert Foote; to the Committee on Claims.

Also, a bill (H. R. 28590) for the relief of John S. Nix; to the Committee on War Claims.

By Mr. MORSE: A bill (H. R. 28591) for the relief of Eli Elifson; to the Committee on Claims.

By Mr. NYE: A bill (H. R. 28592) granting an increase of pension to James W. Walsh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28593) granting a pension to Wilba E. Davis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28594) granting an increase of pension to Charles Hull; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28595) granting an increase of pension to Chauncey W. Curtis; to the Committee on Invalid Pensions.

By Mr. O'CONNELL: A bill (H. R. 28596) granting an increase of pension to James H. Conlan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28597) for the relief of Andrew B. Atwell, alias Andrew Browning; to the Committee on Military Affairs.

Also, a bill (H. R. 28598) granting a pension to Endavilla S. Dannels; to the Committee on Invalid Pensions.

By Mr. REID: A bill (H. R. 28599) granting an increase of pension to Alonzo Walrath; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28600) granting an increase of pension to George W. Burton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28601) granting a pension to Frank Doering; to the Committee on Invalid Pensions.

By Mr. RICHARDSON: A bill (H. R. 28602) for the relief of the trustees of the First Baptist Church, Decatur, Ala.; to the Committee on War Claims.

Also, a bill (H. R. 28603) for the relief of Leroy P. Walker, sole heir at law of Eliza D. Walker and L. P. Walker, her husband; to the Committee on War Claims.

Also, a bill (H. R. 28604) to authorize the Secretary of the Treasury to pay the claim of the trustees of North Alabama College, Huntsville, Ala.; to the Committee on War Claims.

By Mr. RUCKER of Colorado: A bill (H. R. 28605) granting an increase of pension to Franklin M. Phillips; to the Committee on Invalid Pensions.

By Mr. SMITH of Iowa: A bill (H. R. 28606) granting an increase of pension to Joseph M. Brattain; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28607) granting an increase of pension to Cortland S. Adams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28608) for the relief of Annie H. De Groat; to the Committee on Military Affairs.

By Mr. SMITH of Michigan: A bill (H. R. 28609) granting an increase of pension to Charles Whited; to the Committee on Invalid Pensions.

By Mr. THOMAS of Kentucky: A bill (H. R. 28610) granting a pension to William W. Prine; to the Committee on Invalid Pensions.

By Mr. THOMAS of Ohio: A bill (H. R. 28611) to remove the charge of desertion and grant an honorable discharge to Edmund Jones; to the Committee on Military Affairs.

By Mr. WEBB: A bill (H. R. 28612) granting an increase of pension to David B. Aldrich; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Memorial of the Lakes to the Gulf Deep Waterways Association, for improvement of internal waterways; to the Committee on Rivers and Harbors.

By Mr. ANDERSON: Petition of Civil War veterans of Wheaton, Ill., for H. R. 17883; to the Committee on Invalid Pensions.

Also, petition of A. J. Bell, of Webb School, local, favoring H. R. 18295; to the Committee on the District of Columbia.

By Mr. ANSBERRY: Petition of congregation of the Presbyterian Church, Defiance, Ohio, for the Burkett-Sims bill, relative to gambling information; to the Committee on the Judiciary.

Also, petition of Post No. 621, of Melrose; Post No. 326, of Grover Hill; and Post No. 568, of Edgerton, Grand Army of the Republic, all in the State of Ohio, for an amendment to the age-pension act; to the Committee on Invalid Pensions.

By Mr. ASHBROOK: Paper to accompany bill for relief of Thomas J. Evans; to the Committee on Invalid Pensions.

Also, petition of Dalton (Ohio) Post, No. 618, Grand Army of the Republic, for an amendment to the age pension act; to the Committee on Invalid Pensions.

By Mr. ESCH: Petitions of West Virginia Conference and the Nebraska Annual Conference of the Methodist Episcopal Church, and by the laymen's conferences of said churches, urging passage of H. R. 26540, to abolish the use of phosphorus in the match industry; to the Committee on Ways and Means.

Also, petition of Grand Encampment of Wisconsin, Independent Order of Odd Fellows, at Janesville, Wis., for passage of H. R. 27221; to the Committee on the Post Office and Post Roads.

By Mr. FULLER: Paper to accompany bill for relief of John A. Ferguson; to the Committee on Invalid Pensions.

Also, petition of American Institute of Homeopathy, for health legislation, but not medical legislation, in line of bills for a national department of health, such as the Owen, Mann, and Creager bills; to the Committee on Interstate and Foreign Commerce.

By Mr. GRAHAM of Pennsylvania: Petition of National Casket Co., against the Tou Velle bill, relative to Government-stamped envelopes; to the Committee on the Post Office and Post Roads.

By Mr. GRAHAM of Illinois: Paper to accompany bill for relief of Abraham Sherfey and Abraham S. Reid; to the Committee on Invalid Pensions.

By Mr. GRONNA: Petition of Women's Club, of Gardena, N. Dak., for legislation prohibiting the sale of dairy products from diseased animals; to the Committee on Agriculture.

By Mr. HOLLINGSWORTH: Paper to accompany bill for relief of Thomas Seals; to the Committee on Military Affairs.

Also, petition of Ministerial Association of Steubenville, Ohio, for the Burkett-Sims bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of Drummond Post, Grand Army of the Republic, St. Clairsville, Ohio, favoring amendment to age-pension act; to the Committee on Invalid Pensions.

By Mr. KNAPP: Paper to accompany bill for relief of Charles W. Bullard; to the Committee on Invalid Pensions.

Also, petition of citizens of the twenty-eighth New York congressional district, against the passage of H. R. 3075; to the Committee on the Post Office and Post Roads.

By Mr. LAFEAN: Paper to accompany bill for relief of John B. Findley; to the Committee on Invalid Pensions.

By Mr. LIVINGSTON: Paper to accompany bill for relief of George Killeen; to the Committee on Claims.

By Mr. LOUD: Paper to accompany bill for relief of William Hannan; to the Committee on Invalid Pensions.

By Mr. MILLINGTON: Petition of citizens of twenty-seventh New York congressional district, against H. R. 3075, the Tou Velle stamped-envelope bill; to the Committee on the Post Office and Post Roads.

Also, petition of Moriah Church, of Utica, N. Y., favoring the Burkett-Sims bill; to the Committee on Interstate and Foreign Commerce.

By Mr. MOON of Tennessee: Paper to accompany bill for relief of John Rogers; to the Committee on Invalid Pensions.

By Mr. NICHOLLS: Petition of Grange No. 1200, Patrons of Husbandry, Dalton, Pa., for S. 5842; to the Committee on Agriculture.

By Mr. PALMER: Petition of Monroe Grange, No. 1414; Hudsonale Grange, No. 1032; and Star Grange, No. 993, for amendment of the act governing sale of oleo; to the Committee on Agriculture.

By Mr. PAYNE: Petition of churches of Auburn, N. Y., for the passage of the Burkett-Sims bill; to the Committee on the Judiciary.

Also, paper to accompany bill for relief of Lyman H. Essex, James M. Smith, Martin Van Dine, Walter H. Burnett, Joel Coon, Benjamin Owens, Edward Vanetten, and George F. Stansbury; to the Committee on Invalid Pensions.

HOUSE OF REPRESENTATIVES.

FRIDAY, December 9, 1910.

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

The Journal of the proceedings of yesterday was read and approved.

BILLS ON THE PRIVATE CALENDAR.

Mr. SULLOWAY. Mr. Speaker, I ask unanimous consent that bills on the Private Calendar in order to-day be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from New Hampshire asks unanimous consent that bills on the Private Calendar in order to-day be considered in the House as in Committee of the Whole. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I suppose the request refers to pension bills on the Private Calendar only because they are all in order to-day. I suppose the request refers to pension bills and bills to remove charges of desertion.

Mr. SULLOWAY. They are all in order to-day.

Mr. MANN. If the gentleman will confine his request to pension bills and bills to remove the charge of desertion, I shall not object.

Mr. SULLOWAY. Mr. Speaker, I will modify my request to include pension bills, bills to correct military records, and bills to remove charges of desertion.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire as modified?

There was no objection.

HENRY SHENEP.

The first pension bill on the Private Calendar was the bill (H. R. 19083) for the relief of Henry Shenep.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the pension laws Henry Shenep shall hereafter be held and considered to have served in the military service of the United States as a private of Company A, Second Regiment Arkansas Mounted Rangers, from the 8th day of September, 1862, to the 10th day of January, 1863, and to have been discharged honorably from said company and regiment on the last-named date.

With the following committee amendment:

Strike out all after the enacting clause and insert:
"That in the administration of the pension laws and the laws governing the National Home for Disabled Volunteer Soldiers, or any branch thereof, Henry Shenep, now a resident of Arkansas, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of Company A, Second Regiment Arkansas Volunteer Cavalry (also known as the First Mounted Rangers), on the 17th day of December, 1862: *Provided,* That no pension shall accrue prior to the passage of this act."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

WINFIELD SCOTT USHER.

The next pension bill on the Private Calendar was the bill (H. R. 12737) for the relief of Winfield Scott Usher.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to amend the records of Winfield Scott Usher, late a second lieutenant in Company F of the Twenty-first Regiment of New York Cavalry Volunteers, charging him with absence without leave, and issue to him an honorable discharge to date the 9th day of June, 1865, in accordance with Special Orders, 145, Headquarters of the Army, Adjutant General's Office, dated June 16, 1869, to complete his record on the rolls.

With the following amendment, recommended by the committee:

Strike out all after the enacting clause and insert:
"That in the administration of any laws conferring rights, privileges, or benefits upon honorably discharged soldiers Winfield Scott Usher, who was second lieutenant of Company F, Twenty-first Regiment New York Volunteer Cavalry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of said company and regiment on the 9th day of June, 1865: *Provided,* That, other than as above set forth, no bounty, pay, pension, or other emolument shall accrue prior to or by reason of the passage of this act."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

JOHN MARSHALL.

The next pension bill on the Private Calendar was the bill (H. R. 24153) for the relief of John Marshall.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the pension laws John Marshall, late of Company F, Sixty-fifth Regiment New York Volunteer Infantry, the Third Independent Battery New York Volunteer Light Artillery, and the United States Navy, shall be deemed to have been honorably discharged April 29, 1865.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

VALENTINE FRAKER.

The next pension bill on the Private Calendar was the bill (H. R. 8185) to amend and correct the records of Company D, Seventh Regiment Provisional Enrolled Missouri Militia, by including the name of Valentine Fraker therein, with the dates of his enlistment and discharge.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to amend and correct the records of Company D, Seventh Regiment Provisional Enrolled Missouri Militia, by including therein the name of Valentine Fraker, and to show his enlistment as a private April 1, 1863, and his honorable discharge July 15, 1863.

With the following committee amendment:

Strike out all after the enacting clause and insert:
"That in the administration of the pension laws Valentine Fraker be held and considered to have been a member of Company D, Seventh Regiment Provisional Enrolled Missouri Militia, from April 1, 1863, to July 15, 1863, when he was honorably discharged: *Provided,* That no pension shall accrue or become payable prior to the passage of this act."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended.

CHARLES A. COULSON.

The next business on the Private Calendar was the bill (H. R. 8622) to place the name of Charles A. Coulson upon the muster-in roll of Company H, Twenty-first Regiment Missouri Volunteer Infantry.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, directed and authorized to place the name of Charles A. Coulson, late a member of Company H, Twenty-first Regiment Missouri Volunteer Infantry, upon the muster-in roll of that company and regiment.

The following committee amendment was read:

Strike out all after the enacting clause and insert:
"That in the administration of any laws conferring rights, privileges, or benefits upon honorably discharged soldiers, Charles A. Coulson shall be held and considered to have been mustered as a private in Company H, Twenty-first Regiment Missouri Volunteer Infantry, on February 28, 1862, and to have been discharged honorably from the military service